



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 II

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



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-1035/P2
TJD:kjfrs

P3

In. 1/23/15

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

FOR 2015-2017 BUDGET — NOT READY FOR INTRODUCTION

Don't Gen

1/24 or 1/25

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. 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

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

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

19 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*
20 *administration; contract costs, insurer reports, and resource centers.* Biennially, the
21 amounts in the schedule to provide a portion of the state share of administrative
22 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the
23 Badger Care health care program under s. 49.665 and to provide the state share of
24 administrative costs for the food stamp program under s. 49.79, other than payments
25 under s. 49.78 (8), to develop and implement a registry of recipient immunizations,

1 to reimburse 3rd parties for their costs under s. 49.475, for costs associated with
2 outreach activities, for state administration of state supplemental grants to
3 supplemental security income recipients under s. 49.77, and for services of resource
4 centers or other entities under s. 46.283. No state positions may be funded in the
5 department of health services from this appropriation, except positions for the
6 performance of duties under a contract in effect before January 1, 1987, related to
7 the administration of the Medical Assistance program between the subunit of the
8 department primarily responsible for administering the Medical Assistance
9 program and another subunit of the department. Total administrative funding
10 authorized for the program under s. 49.665 may not exceed 10% of the amounts
11 budgeted under pars. (p) and (x).

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

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

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

2 20.435 (4) (pa) *Federal aid; Medical Assistance and food stamp contracts*
3 *administration.* All federal moneys received for the federal share of the cost of
4 contracting for payment and services administration and reporting, other than
5 moneys received under pars. (nn) and (np), to reimburse 3rd parties for their costs
6 under s. 49.475, for administrative contract costs for the food stamp program under
7 s. 49.79, and for services of resource centers or other entities under s. 46.283.

Insert
4-8

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

9 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
10 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), and 253.07
11 (3) (c), a subunit of a county department of human services or tribal agency acting
12 under this subsection may exchange confidential information about a client, without
13 the informed consent of the client, with any other subunit of the same county
14 department of human services or tribal agency, with a resource center or other
15 contracted entity under s. 46.283 (2), a care management organization, or a
16 long-term care district, with an elder-adult-at-risk agency, an adult-at-risk
17 agency, or any agency to which referral for investigation is made under s. 46.90 (5)
18 (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client under a
19 purchase of services contract with the county department of human services or tribal
20 agency or with a resource center or other contracted entity under s. 46.283 (2), a care
21 management organization, or a long-term care district, if necessary to enable an
22 employee or service provider to perform his or her duties, or to enable the county
23 department of human services or tribal agency to coordinate the delivery of services
24 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.

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.

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

23 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.
24 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
25 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social

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

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

17 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss.
18 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
19 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of
20 human services or tribal agency acting under this section may exchange confidential
21 information about a client, without the informed consent of the client, with any other
22 subunit of the same county department of human services or tribal agency, with a
23 resource center or other contracted entity under s. 46.283 (2), a care management
24 organization, or a long-term care district, with an elder-adult-at-risk agency, an
25 adult-at-risk agency, or any agency to which referral for investigation is made under

1 s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client
2 under a purchase of services contract with the county department of human services
3 or tribal agency or with a resource center or other contracted entity under s. 46.283
4 (2), a care management organization, or a long-term care district, if necessary to
5 enable an employee or service provider to perform his or her duties, or to enable the
6 county department of human services or tribal agency to coordinate the delivery of
7 services to the client. An agency that releases information under this paragraph
8 shall document that a request for information was received and what information
9 was provided.

10 **SECTION 9.** 46.27 (4) (am) of the statutes is repealed.

11 **SECTION 10.** 46.27 (4) (c) (intro.) of the statutes is amended to read:

12 46.27 (4) (c) (intro.) The planning committee shall develop, ~~or, if the governing~~
13 ~~board of a resource center has under s. 46.283 (6) (b) 10. assumed the duties of the~~
14 ~~planning committee, the governing board of the resource center shall recommend a~~
15 community options plan for participation in the program. The plan shall include:

16 **SECTION 11.** 46.27 (4) (c) 5. of the statutes is amended to read:

17 46.27 (4) (c) 5. A description of the method to be used by the committee ~~or, if~~
18 ~~the governing board of a resource center has under s. 46.283 (6) (b) 10. assumed the~~
19 ~~duties of the planning committee, the governing board of the resource center to~~
20 monitor the implementation of the program.

21 **SECTION 12.** 46.2805 (10) of the statutes is amended to read:

22 46.2805 (10) "Resource center" means an entity that meets the standards for
23 operation under s. 46.283 (3) or, if under contract to provide a portion of the services
24 specified under s. 46.283 (3), meets the standards for operation with respect to those
25 services, and fulfills the duties under s. 46.283 (4).

1 **SECTION 13.** 46.281 (1g) (a) of the statutes is amended to read:

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

8 **SECTION 14.** 46.281 (1n) (d) of the statutes is repealed.

9 **SECTION 15.** 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 **SECTION 16.** 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,
25 nursing home, community-based residential facility, adult family home, or

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

6 SECTION 17. 46.2825 of the statutes is repealed.

7 SECTION 18. 46.283 (title) of the statutes is amended to read:

8 **46.283 (title) Resource centers; resource functions.**

9 SECTION 19. 46.283 (2) (intro.) of the statutes is renumbered 46.283 (2) and
10 amended to read:

11 46.283 (2) ~~EXCLUSIVE RESOURCE CENTER CONTRACT; CONTRACT FOR CERTAIN~~
12 ~~FUNCTIONS~~. The department may contract to operate a resource center with counties,
13 long-term care districts, or the governing body of a tribe or band or the Great Lakes
14 Inter-Tribal Council, Inc., under a joint application of any of these, or with a private
15 entity or nonprofit organization if the department determines that the organization
16 has no significant connection to an entity that operates a care management
17 organization and if any of the following applies: The department may contract with
18 an entity other than a resource center to perform certain functions of a resource
19 center.

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

21 SECTION 21. 46.283 (2) (b) of the statutes is repealed.

22 SECTION 22. 46.283 (3) (title) of the statutes is repealed and recreated to read:

23 46.283 (3) (title) RESOURCE FUNCTION DUTIES.

24 SECTION 23. 46.283 (3) (intro.) of the statutes is amended to read:

1 46.283 (3) (intro.) The department shall assure that at least all may in a
2 contract with a resource center or other entity specify that the resource center or
3 other entity provide any of the following are available to a person who contacts a
4 resource center for service services or functions:

5 **SECTION 24.** 46.283 (4) (title) of the statutes is amended to read:

6 46.283 (4) (title) DUTIES; RESOURCE CENTERS.

7 **SECTION 25.** 46.283 (4) (a) of the statutes is renumbered 46.283 (3) (L) and
8 amended to read:

9 46.283 (3) (L) Provide Provision of services statewide or within the entire
10 geographic area prescribed for the resource center or other entity by the department
11 as specified in the contract.

12 **SECTION 26.** 46.283 (4) (e) of the statutes is renumbered 46.283 (3) (m) and
13 amended to read:

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

24 **SECTION 27.** 46.283 (4) (f) of the statutes is renumbered 46.283 (3) (n) and
25 amended to read:

1 46.283 (3) (n) ~~Perform~~ Performance of a functional screening and a financial
2 and cost-sharing screening for any resident, as specified in par. (e) ~~(m)~~, who requests
3 a screening and assist any resident who is eligible and chooses to enroll in a care
4 management organization or the self-directed services option to do so.

5 **SECTION 28.** 46.283 (4) (g) of the statutes is renumbered 46.283 (3) (o) and
6 amended to read:

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

21 **SECTION 29.** 46.283 (4) (j) of the statutes is repealed.

22 **SECTION 30.** 46.283 (5) of the statutes is amended to read:

23 46.283 (5) **FUNDING.** From the appropriation accounts under s. 20.435 (4) (b),
24 (bm), (gm), (pa), and (w) and (7) (b), (bd), and (md), the department may contract with
25 organizations ~~that meet standards under sub. (3)~~ for performance of the duties under

1 sub. ~~(4)~~ (3) and shall distribute funds for services provided by resource centers and
2 other entities.

3 SECTION 31. 46.283 (6) of the statutes is repealed.

4 SECTION 32. 46.283 (7) (intro.) of the statutes is amended to read:

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

10 SECTION 33. 46.283 (7) (a) of the statutes is amended to read:

11 46.283 (7) (a) A resource center or other contracted entity under s. 46.283 (2)
12 may provide information as required to comply with s. 16.009 (2) (p) or 49.45 (4) or
13 as necessary for the department to administer the program under ss. 46.2805 to
14 46.2895.

15 SECTION 34. 46.283 (7) (b) of the statutes is amended to read:

16 46.283 (7) (b) Notwithstanding ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45
17 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a resource center
18 or other contracted entity under sub. (2) acting under this section may exchange
19 confidential information about a client, as defined in s. 46.287 (1), without the
20 informed consent of the client, under s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm),
21 46.23 (3) (e), 46.284 (7), 46.2895 (10), 51.42 (3) (e) or 51.437 (4r) (b) in the ~~county~~
22 operating area of the resource center or other entity, if necessary to enable the
23 resource center or other entity to perform its duties or to coordinate the delivery of
24 services to the client.

25 SECTION 35. 46.287 (2) (c) of the statutes is amended to read:

1 46.287 (2) (c) Information regarding the availability of advocacy services and
2 notice of adverse actions taken and appeal rights shall be provided to a client by the
3 resource center or other contracted entity under s. 46.283 (2) or care management
4 organization in a form and manner that is prescribed by the department by rule.

5 **SECTION 36.** 50.034 (5m) of the statutes is amended to read:

6 50.034 (5m) **PROVISION OF INFORMATION REQUIRED.** Subject to sub. (5p), when a
7 residential care apartment complex first provides written material regarding the
8 residential care apartment complex to a prospective resident, the residential care
9 apartment complex shall also provide the prospective resident information specified
10 by the department concerning the services of a resource center or other entity under
11 s. 46.283, the family care benefit under s. 46.286, and the availability of a functional
12 screening and a financial and cost-sharing screening to determine the prospective
13 resident's eligibility for the family care benefit under s. 46.286 (1).

14 **SECTION 37.** 50.034 (5n) (intro.) of the statutes is amended to read:

15 50.034 (5n) **REQUIRED REFERRAL.** (intro.) Subject to sub. (5p), when a residential
16 care apartment complex first provides written material regarding the residential
17 care apartment complex to a prospective resident who is at least 65 years of age or
18 has developmental disability or a physical disability and whose disability or
19 condition is expected to last at least 90 days, the residential care apartment complex
20 shall refer the prospective resident to a resource center or other entity under s.
21 46.283, unless any of the following applies:

22 **SECTION 38.** 50.034 (5n) (a) of the statutes is amended to read:

23 50.034 (5n) (a) For a person for whom a screening for functional eligibility
24 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral

1 under this subsection need not include performance of an additional functional
2 screening under s. 46.283 (4) ~~(g)~~ (3) (o).

3 **SECTION 39.** 50.034 (5n) (d) of the statutes is amended to read:

4 50.034 (5n) (d) For a person who seeks admission or is about to be admitted on
5 a private pay basis and who waives the requirement for a financial and cost-sharing
6 screening under s. 46.283 (4) ~~(g)~~ (3) (o), the referral under this subsection may not
7 include performance of a financial and cost-sharing screening under s. 46.283 (4) ~~(g)~~
8 (3) (o), unless the person is expected to become eligible for medical assistance within
9 6 months.

10 **SECTION 40.** 50.034 (5p) of the statutes is amended to read:

11 50.034 (5p) APPLICABILITY. Subsections (5m) and (5n) apply only if the secretary
12 has certified under s. 46.281 (3) that a resource center or other entity is available for
13 the residential care apartment complex and for specified groups of eligible
14 individuals that include those persons seeking admission to or the residents of the
15 residential care apartment complex.

16 **SECTION 41.** 50.035 (4m) of the statutes is amended to read:

17 50.035 (4m) PROVISION OF INFORMATION REQUIRED. Subject to sub. (4p), when a
18 community-based residential facility first provides written material regarding the
19 community-based residential facility to a prospective resident, the
20 community-based residential facility shall also provide the prospective resident
21 information specified by the department concerning the services of a resource center
22 or other entity under s. 46.283, the family care benefit under s. 46.286, and the
23 availability of a functional screening and a financial and cost-sharing screening to
24 determine the prospective resident's eligibility for the family care benefit under s.
25 46.286 (1).

1 **SECTION 42.** 50.035 (4n) (intro.) of the statutes is amended to read:

2 50.035 (4n) **REQUIRED REFERRAL.** (intro.) When a community-based residential
3 facility first provides written information regarding the community-based
4 residential facility to a prospective resident who is at least 65 years of age or has
5 developmental disability or a physical disability and whose disability or condition is
6 expected to last at least 90 days, the community-based residential facility shall refer
7 the individual to a resource center or other entity under s. 46.283 or, if the secretary
8 has not certified under s. 46.281 (3) that a resource center or other entity is available
9 in the area of the community-based residential facility to serve individuals in an
10 eligibility group to which the prospective resident belongs, to the county department
11 that administers a program under ss. 46.27 or 46.277, unless any of the following
12 applies:

13 **SECTION 43.** 50.035 (4n) (a) of the statutes is amended to read:

14 50.035 (4n) (a) For a person for whom a screening for functional eligibility
15 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral
16 under this subsection need not include performance of an additional functional
17 screening under s. 46.283 (4) ~~(g)~~ (3) (o).

18 **SECTION 44.** 50.035 (4n) (d) of the statutes is amended to read:

19 50.035 (4n) (d) For a person who seeks admission or is about to be admitted on
20 a private pay basis and who waives the requirement for a financial and cost-sharing
21 screening under s. 46.283 (4) ~~(g)~~ (3) (o), the referral under this subsection may not
22 include performance of a financial and cost-sharing screening under s. 46.283 (4) ~~(g)~~
23 (3) (o), unless the person is expected to become eligible for medical assistance within
24 6 months.

25 **SECTION 45.** 50.035 (4p) of the statutes is amended to read:

1 50.035 (4p) APPLICABILITY. Subsection (4m) applies only if the secretary has
2 certified under s. 46.281 (3) that a resource center or other entity is available for the
3 community-based residential facility and for specified groups of eligible individuals
4 that include those persons seeking admission to or the residents of the
5 community-based residential facility.

6 **SECTION 46.** 50.04 (2g) (a) of the statutes is amended to read:

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

13 **SECTION 47.** 50.04 (2h) (a) (intro.) of the statutes is amended to read:

14 50.04 (2h) (a) (intro.) Subject to sub. (2i), a nursing home shall, within the time
15 period prescribed by the department by rule, refer to a resource center or other entity
16 under s. 46.283 a person who is seeking admission, who is at least 65 years of age or
17 has developmental disability or physical disability and whose disability or condition
18 is expected to last at least 90 days, unless any of the following applies:

19 **SECTION 48.** 50.04 (2h) (a) 1. of the statutes is amended to read:

20 50.04 (2h) (a) 1. For a person for whom a screening for functional eligibility
21 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral
22 under this paragraph need not include performance of an additional functional
23 screening under s. 46.283 (4) ~~(g)~~ (3) (o).

24 **SECTION 49.** 50.04 (2h) (a) 4. of the statutes is amended to read:

1 50.04 (2h) (a) 4. For a person who seeks admission or is about to be admitted
2 on a private pay basis and who waives the requirement for a financial and
3 cost-sharing screening under s. 46.283 ~~(4) (g)~~ (3) (o), the referral under this
4 subsection may not include performance of a financial and cost-sharing screening
5 under s. 46.283 ~~(4) (g)~~ (3) (o), unless the person is expected to become eligible for
6 medical assistance within 6 months.

7 **SECTION 50.** 50.04 (2i) of the statutes is amended to read:

8 50.04 (2i) APPLICABILITY. Subsections (2g) and (2h) apply only if the secretary
9 has certified under s. 46.281 (3) that a resource center or other entity is available for
10 the nursing home and for specified groups of eligible individuals that include those
11 persons seeking admission to or the residents of the nursing home.

12 **SECTION 51.** 50.04 (2m) (b) of the statutes is amended to read:

13 50.04 (2m) (b) Paragraph (a) does not apply to those residents for whom the
14 secretary has certified under s. 46.281 (3) that a resource center or other entity is
15 available.

16 **SECTION 52.** 50.06 (7) of the statutes is amended to read:

17 50.06 (7) An individual who consents to an admission under this section may
18 request that an assessment be conducted for the incapacitated individual under the
19 long-term support community options program under s. 46.27 (6) or, if the secretary
20 has certified under s. 46.281 (3) that a resource center or other entity is available for
21 the individual, a functional screening and a financial and cost-sharing screening to
22 determine eligibility for the family care benefit under s. 46.286 (1). If admission is
23 sought on behalf of the incapacitated individual or if the incapacitated individual is
24 about to be admitted on a private pay basis, the individual who consents to the
25 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 SECTION 53. 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.

20 SECTION 54. 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
24 agency acting under this section may exchange confidential information about a
25 client, without the informed consent of the client, with any other subunit of the same

1 county department of developmental disabilities services or tribal agency, with a
2 resource center or other contracted entity under s. 46.283 (2), a care management
3 organization, or a long-term care district, or with any person providing services to
4 the client under a purchase of services contract with the county department of
5 developmental disabilities services or tribal agency or with a resource center or other
6 contracted entity under s. 46.283 (2), a care management organization, or a
7 long-term care district, if necessary to enable an employee or service provider to
8 perform his or her duties, or to enable the county department of developmental
9 disabilities services or tribal agency to coordinate the delivery of services to the
10 client. Any agency releasing information under this paragraph shall document that
11 a request was received and what information was provided.

12

(END)

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1035/P3ins
TJD:.....

1 INSERT 4-8 ✓

2 SECTION 1. 20.435 (7) (b) of the statutes is amended to read:

3 20.435 (7) (b) *Community aids and Medical Assistance payments.* The
4 amounts in the schedule for human services under s. 46.40, to fund services provided
5 by resource centers or other entities ✓ under s. 46.283 (5), for services under the family
6 care benefit under s. 46.284 (5), for Medical Assistance payment adjustments under
7 s. 49.45 (52) (a) for services described in s. 49.45 (52) (a) 1., for Medical Assistance
8 payments under s. 49.45 (6tw), and for Medical Assistance payments under s. 49.45
9 (53) for services described in s. 49.45 (53) that are provided before January 1, 2012.
10 Social services disbursements under s. 46.03 (20) (b) may be made from this
11 appropriation. Refunds received relating to payments made under s. 46.03 (20) (b)
12 for the provision of services for which moneys are appropriated under this paragraph
13 shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and
14 20.002 (1), the department of health services may transfer funds between fiscal years
15 under this paragraph. The department shall deposit into this appropriation funds
16 it recovers under ss. 46.495 (2) (b) and 51.423 (15), from prior year audit adjustments
17 including those resulting from audits of services under s. 46.26, 1993 stats., or s.
18 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds
19 recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s.
20 46.40 and not spent or encumbered by December 31 of each year shall lapse to the
21 general fund on the succeeding January 1 unless carried forward to the next calendar
22 year by the joint committee on finance.

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), (e); 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 (7) (bd) of the statutes is amended to read:**

2 **20.435 (7) (bd) Long-term care programs.** The amounts in the schedule for
3 assessments, case planning, services, administration and risk reserve escrow
4 accounts under s. 46.27, for pilot projects under s. 46.271 (1), to fund services
5 provided by resource centers or other entities under s. 46.283 (5), for services under
6 the family care benefit under s. 46.284 (5), for services and supports under s. 46.2803
7 (2), and for the payment of premiums under s. 49.472 (5). If the department transfers
8 funds to this appropriation from the appropriation account under sub. (4) (b), the
9 amounts in the schedule for the fiscal year for which the transfer is made are
10 increased by the amount of the transfer for the purposes specified in s. 49.45 (6v).
11 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may under this
12 paragraph transfer moneys between fiscal years. Except for moneys authorized for
13 transfer under this appropriation or under s. 46.27 (7) (fm) or (g), all moneys under
14 this appropriation that are allocated under s. 46.27 and are not spent or encumbered
15 by counties or by the department by December 31 of each year shall lapse to the
16 general fund on the succeeding January 1 unless transferred to the next calendar
17 year by the joint committee on finance.

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).



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1035/P3
TJD:kjfjf

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

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

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.** 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

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

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

19 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*
20 *administration; contract costs, insurer reports, and resource centers.* Biennially, the
21 amounts in the schedule to provide a portion of the state share of administrative
22 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the
23 Badger Care health care program under s. 49.665 and to provide the state share of
24 administrative costs for the food stamp program under s. 49.79, other than payments
25 under s. 49.78 (8), to develop and implement a registry of recipient immunizations,

1 to reimburse 3rd parties for their costs under s. 49.475, for costs associated with
2 outreach activities, for state administration of state supplemental grants to
3 supplemental security income recipients under s. 49.77, and for services of resource
4 centers or other entities under s. 46.283. No state positions may be funded in the
5 department of health services from this appropriation, except positions for the
6 performance of duties under a contract in effect before January 1, 1987, related to
7 the administration of the Medical Assistance program between the subunit of the
8 department primarily responsible for administering the Medical Assistance
9 program and another subunit of the department. Total administrative funding
10 authorized for the program under s. 49.665 may not exceed 10% of the amounts
11 budgeted under pars. (p) and (x).

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

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

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

2 20.435 (4) (pa) *Federal aid; Medical Assistance and food stamp contracts*
3 *administration.* All federal moneys received for the federal share of the cost of
4 contracting for payment and services administration and reporting, other than
5 moneys received under pars. (nn) and (np), to reimburse 3rd parties for their costs
6 under s. 49.475, for administrative contract costs for the food stamp program under
7 s. 49.79, and for services of resource centers or other entities under s. 46.283.

8 **SECTION 5.** 20.435 (7) (b) of the statutes is amended to read:

9 20.435 (7) (b) *Community aids and Medical Assistance payments.* The
10 amounts in the schedule for human services under s. 46.40, to fund services provided
11 by resource centers or other entities under s. 46.283 (5), for services under the family
12 care benefit under s. 46.284 (5), for Medical Assistance payment adjustments under
13 s. 49.45 (52) (a) for services described in s. 49.45 (52) (a) 1., for Medical Assistance
14 payments under s. 49.45 (6tw), and for Medical Assistance payments under s. 49.45
15 (53) for services described in s. 49.45 (53) that are provided before January 1, 2012.
16 Social services disbursements under s. 46.03 (20) (b) may be made from this
17 appropriation. Refunds received relating to payments made under s. 46.03 (20) (b)
18 for the provision of services for which moneys are appropriated under this paragraph
19 shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and
20 20.002 (1), the department of health services may transfer funds between fiscal years
21 under this paragraph. The department shall deposit into this appropriation funds
22 it recovers under ss. 46.495 (2) (b) and 51.423 (15), from prior year audit adjustments
23 including those resulting from audits of services under s. 46.26, 1993 stats., or s.
24 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds
25 recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s.

1 46.40 and not spent or encumbered by December 31 of each year shall lapse to the
2 general fund on the succeeding January 1 unless carried forward to the next calendar
3 year by the joint committee on finance.

4 **SECTION 6.** 20.435 (7) (bd) of the statutes is amended to read:

5 20.435 (7) (bd) *Long-term care programs.* The amounts in the schedule for
6 assessments, case planning, services, administration and risk reserve escrow
7 accounts under s. 46.27, for pilot projects under s. 46.271 (1), to fund services
8 provided by resource centers or other entities under s. 46.283 (5), for services under
9 the family care benefit under s. 46.284 (5), for services and supports under s. 46.2803
10 (2), and for the payment of premiums under s. 49.472 (5). If the department transfers
11 funds to this appropriation from the appropriation account under sub. (4) (b), the
12 amounts in the schedule for the fiscal year for which the transfer is made are
13 increased by the amount of the transfer for the purposes specified in s. 49.45 (6v).
14 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may under this
15 paragraph transfer moneys between fiscal years. Except for moneys authorized for
16 transfer under this appropriation or under s. 46.27 (7) (fm) or (g), all moneys under
17 this appropriation that are allocated under s. 46.27 and are not spent or encumbered
18 by counties or by the department by December 31 of each year shall lapse to the
19 general fund on the succeeding January 1 unless transferred to the next calendar
20 year by the joint committee on finance.

21 **SECTION 7.** 46.21 (2m) (c) of the statutes is amended to read:

22 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
23 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), and 253.07
24 (3) (c), a subunit of a county department of human services or tribal agency acting
25 under this subsection may exchange confidential information about a client, without

1 the informed consent of the client, with any other subunit of the same county
2 department of human services or tribal agency, with a resource center or other
3 contracted entity under s. 46.283 (2), a care management organization, or a
4 long-term care district, with an elder-adult-at-risk agency, an adult-at-risk
5 agency, or any agency to which referral for investigation is made under s. 46.90 (5)
6 (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client under a
7 purchase of services contract with the county department of human services or tribal
8 agency or with a resource center or other contracted entity under s. 46.283 (2), a care
9 management organization, or a long-term care district, if necessary to enable an
10 employee or service provider to perform his or her duties, or to enable the county
11 department of human services or tribal agency to coordinate the delivery of services
12 to the client. An agency that releases information under this paragraph shall
13 document that a request for information was received and what information was
14 provided.

15 **SECTION 8.** 46.215 (1m) of the statutes is amended to read:

16 46.215 (1m) EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss.
17 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
18 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social
19 services or tribal agency acting under this section may exchange confidential
20 information about a client, without the informed consent of the client, with any other
21 subunit of the same county department of social services or tribal agency, with a
22 resource center or other contracted entity under s. 46.283 (2), a care management
23 organization, or a long-term care district, with an elder-adult-at-risk agency, an
24 adult-at-risk agency, or any agency to which referral for investigation is made under
25 s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client

1 under a purchase of services contract with the county department of social services
2 or tribal agency or with a resource center or other contracted entity under s. 46.283
3 (2), a care management organization, or a long-term care district, if necessary to
4 enable an employee or service provider to perform his or her duties, or to enable the
5 county department of social services or tribal agency to coordinate the delivery of
6 services to the client. An agency that releases information under this subsection
7 shall document that a request for information was received and what information
8 was provided.

9 SECTION 9. 46.22 (1) (dm) of the statutes is amended to read:

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

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

3 SECTION 10. 46.23 (3) (e) of the statutes is amended to read:

4 46.23 (3) (e) *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
7 human 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 human 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 human 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 human services or tribal agency to coordinate the delivery of
19 services to the client. An agency that releases information under this paragraph
20 shall document that a request for information was received and what information
21 was provided.

22 SECTION 11. 46.27 (4) (am) of the statutes is repealed.

23 SECTION 12. 46.27 (4) (c) (intro.) of the statutes is amended to read:

24 46.27 (4) (c) (intro.) The planning committee shall develop, ~~or, if the governing~~
25 ~~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:

3 **SECTION 13.** 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.

8 **SECTION 14.** 46.2805 (10) of the statutes is amended to read:

9 46.2805 (10) "Resource center" means an entity that meets the standards for
10 operation under s. 46.283 (3) or, if under contract to provide a portion of the services
11 specified under s. 46.283 (3), meets the standards for operation with respect to those
12 services, and fulfills the duties under s. 46.283 (4).

13 **SECTION 15.** 46.281 (1g) (a) of the statutes is amended to read:

14 46.281 (1g) (a) Subject to par. (b), the department may contract with entities
15 or resource centers as provided under s. 46.283 (2) to provide any of the services
16 under s. 46.283 (3) and (4) ~~as resource centers~~ in any geographic area in the state,
17 and may contract with entities as provided under s. 46.284 (2) to administer the
18 family care benefit as care management organizations in any geographic area in the
19 state.

20 **SECTION 16.** 46.281 (1n) (d) of the statutes is repealed.

21 **SECTION 17.** 46.281 (1n) (e) of the statutes is amended to read:

22 46.281 (1n) (e) Contract with a person to provide the advocacy services
23 described under s. 16.009 (2) (p) 1. to 5. to actual or potential recipients of the family
24 care benefit who are under age 60 or to their families or guardians. The department
25 may not contract under this paragraph with a county or with a person who has a

1 contract with the department to provide services under s. 46.283 (3) and (4) as a
2 resource center or other entity or to administer the family care benefit as a care
3 management organization. The contract under this paragraph shall include as a
4 goal that the provider of advocacy services provide one advocate for every 2,500
5 individuals under age 60 who receive the family care benefit or who participates in
6 the self-directed services option.

7 **SECTION 18.** 46.281 (3) of the statutes is amended to read:

8 46.281 (3) DUTY OF THE SECRETARY. The secretary shall certify to each county,
9 hospital, nursing home, community-based residential facility, adult family home,
10 and residential care apartment complex the date on which a resource center or other
11 entity under contract under s. 46.283 (2) that serves the area of the county, hospital,
12 nursing home, community-based residential facility, adult family home, or
13 residential care apartment complex is first available to perform functional
14 screenings and financial and cost-sharing screenings. To facilitate phase-in of
15 services of resource centers, the secretary may certify that the resource center or
16 other entity is available for specified groups of eligible individuals or for specified
17 facilities in the county.

18 **SECTION 19.** 46.2825 of the statutes is repealed.

19 **SECTION 20.** 46.283 (title) of the statutes is amended to read:

20 **46.283 (title) Resource centers; resource functions.**

21 **SECTION 21.** 46.283 (2) (intro.) of the statutes is renumbered 46.283 (2) and
22 amended to read:

23 46.283 (2) ~~EXCLUSIVE RESOURCE CENTER CONTRACT; CONTRACT FOR CERTAIN~~
24 ~~FUNCTIONS.~~ The department may contract to operate a resource center with counties,
25 long-term care districts, or the governing body of a tribe or band or the Great Lakes

1 Inter-Tribal Council, Inc., under a joint application of any of these, or with a private
2 entity or nonprofit organization if the department determines that the organization
3 has no significant connection to an entity that operates a care management
4 organization ~~and if any of the following applies: The department may contract with~~
5 an entity other than a resource center to perform certain functions of a resource
6 center.

7 SECTION 22. 46.283 (2) (a) of the statutes is repealed.

8 SECTION 23. 46.283 (2) (b) of the statutes is repealed.

9 SECTION 24. 46.283 (3) (title) of the statutes is repealed and recreated to read:
10 46.283 (3) (title) RESOURCE FUNCTION DUTIES.

11 SECTION 25. 46.283 (3) (intro.) of the statutes is amended to read:

12 46.283 (3) (intro.) The department ~~shall assure that at least all~~ may in a
13 contract with a resource center or other entity specify that the resource center or
14 other entity provide any of the following ~~are available to a person who contacts a~~
15 ~~resource center for service~~ services or functions:

16 SECTION 26. 46.283 (4) (title) of the statutes is amended to read:

17 46.283 (4) (title) DUTIES; RESOURCE CENTERS.

18 SECTION 27. 46.283 (4) (a) of the statutes is renumbered 46.283 (3) (L) and
19 amended to read:

20 46.283 (3) (L) ~~Provide~~ Provision of services statewide or within the entire
21 geographic area prescribed for the resource center or other entity by the department
22 as specified in the contract.

23 SECTION 28. 46.283 (4) (e) of the statutes is renumbered 46.283 (3) (m) and
24 amended to read:

1 46.283 (3) (m) ~~Provide information~~ Information about the services of the
2 resource center or other entity, including the services specified in sub. (3) (d), about
3 assessments under s. 46.284 (4) (b) and care plans under s. 46.284 (4) (c), and about
4 the family care benefit and the self-directed services option to all older persons and
5 adults with a physical or developmental disability who are residents of nursing
6 homes, community-based residential facilities, adult family homes, and residential
7 care apartment complexes in the area of the resource center or other entity when the
8 benefit under s. 46.286 first becomes available in the county where the nursing home,
9 community-based residential facility, adult family home, or residential care
10 apartment complex is located.

11 **SECTION 29.** 46.283 (4) (f) of the statutes is renumbered 46.283 (3) (n) and
12 amended to read:

13 46.283 (3) (n) ~~Perform~~ Performance of a functional screening and a financial
14 and cost-sharing screening for any resident, as specified in par. (e) (~~m~~), who requests
15 a screening and assist any resident who is eligible and chooses to enroll in a care
16 management organization or the self-directed services option to do so.

17 **SECTION 30.** 46.283 (4) (g) of the statutes is renumbered 46.283 (3) (o) and
18 amended to read:

19 46.283 (3) (o) ~~Perform~~ Performance of a functional screening and a financial
20 and cost-sharing screening for any person seeking admission to a nursing home,
21 community-based residential facility, residential care apartment complex, or adult
22 family home, if the secretary has certified that the resource center or other entity is
23 available to the person and the facility and the person is determined by the resource
24 center or other entity to have a condition that is expected to last at least 90 days that
25 would require care, assistance, or supervision. A resource center or other entity may

1 not require a financial and cost-sharing screening for a person seeking admission
2 or about to be admitted on a private pay basis who waives the requirement for a
3 financial and cost-sharing screening under this paragraph, unless the person is
4 expected to become eligible for medical assistance within 6 months. A resource
5 center or other entity need not perform a functional screening for a person seeking
6 admission or about to be admitted for whom a functional screening was performed
7 within the previous 6 months.

8 **SECTION 31.** 46.283 (4) (j) of the statutes is repealed.

9 **SECTION 32.** 46.283 (5) of the statutes is amended to read:

10 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
11 (bm), (gm), (pa), and (w) and (7) (b), (bd), and (md), the department may contract with
12 organizations ~~that meet standards under sub. (3)~~ for performance of the duties under
13 sub. (4) (3) and shall distribute funds for services provided by resource centers and
14 other entities.

15 **SECTION 33.** 46.283 (6) of the statutes is repealed.

16 **SECTION 34.** 46.283 (7) (intro.) of the statutes is amended to read:

17 46.283 (7) (intro.) No record, as defined in s. 19.32 (2), of a resource center or
18 other contracted entity under s. 46.283 (2) that contains personally identifiable
19 information, as defined in s. 19.62 (5), concerning an individual who receives services
20 from the resource center may be disclosed by the resource center without the
21 individual's informed consent, except as follows:

22 **SECTION 35.** 46.283 (7) (a) of the statutes is amended to read:

23 46.283 (7) (a) A resource center or other contracted entity under s. 46.283 (2)
24 may provide information as required to comply with s. 16.009 (2) (p) or 49.45 (4) or

1 as necessary for the department to administer the program under ss. 46.2805 to
2 46.2895.

3 **SECTION 36.** 46.283 (7) (b) of the statutes is amended to read:

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

13 **SECTION 37.** 46.287 (2) (c) of the statutes is amended to read:

14 46.287 (2) (c) Information regarding the availability of advocacy services and
15 notice of adverse actions taken and appeal rights shall be provided to a client by the
16 resource center or other contracted entity under s. 46.283 (2) or care management
17 organization in a form and manner that is prescribed by the department by rule.

18 **SECTION 38.** 50.034 (5m) of the statutes is amended to read:

19 50.034 (5m) PROVISION OF INFORMATION REQUIRED. Subject to sub. (5p), when a
20 residential care apartment complex first provides written material regarding the
21 residential care apartment complex to a prospective resident, the residential care
22 apartment complex shall also provide the prospective resident information specified
23 by the department concerning the services of a resource center or other entity under
24 s. 46.283, the family care benefit under s. 46.286, and the availability of a functional

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

3 **SECTION 39.** 50.034 (5n) (intro.) of the statutes is amended to read:

4 50.034 (5n) REQUIRED REFERRAL. (intro.) Subject to sub. (5p), when a residential
5 care apartment complex first provides written material regarding the residential
6 care apartment complex to a prospective resident who is at least 65 years of age or
7 has developmental disability or a physical disability and whose disability or
8 condition is expected to last at least 90 days, the residential care apartment complex
9 shall refer the prospective resident to a resource center or other entity under s.
10 46.283, unless any of the following applies:

11 **SECTION 40.** 50.034 (5n) (a) of the statutes is amended to read:

12 50.034 (5n) (a) For a person for whom a screening for functional eligibility
13 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral
14 under this subsection need not include performance of an additional functional
15 screening under s. 46.283 (4) ~~(g)~~ (3) (o).

16 **SECTION 41.** 50.034 (5n) (d) of the statutes is amended to read:

17 50.034 (5n) (d) For a person who seeks admission or is about to be admitted on
18 a private pay basis and who waives the requirement for a financial and cost-sharing
19 screening under s. 46.283 (4) ~~(g)~~ (3) (o), the referral under this subsection may not
20 include performance of a financial and cost-sharing screening under s. 46.283 (4) ~~(g)~~
21 (3) (o), unless the person is expected to become eligible for medical assistance within
22 6 months.

23 **SECTION 42.** 50.034 (5p) of the statutes is amended to read:

24 50.034 (5p) APPLICABILITY. Subsections (5m) and (5n) apply only if the secretary
25 has certified under s. 46.281 (3) that a resource center or other entity is available for

1 the residential care apartment complex and for specified groups of eligible
2 individuals that include those persons seeking admission to or the residents of the
3 residential care apartment complex.

4 **SECTION 43.** 50.035 (4m) of the statutes is amended to read:

5 50.035 (4m) PROVISION OF INFORMATION REQUIRED. Subject to sub. (4p), when a
6 community-based residential facility first provides written material regarding the
7 community-based residential facility to a prospective resident, the
8 community-based residential facility shall also provide the prospective resident
9 information specified by the department concerning the services of a resource center
10 or other entity under s. 46.283, the family care benefit under s. 46.286, and the
11 availability of a functional screening and a financial and cost-sharing screening to
12 determine the prospective resident's eligibility for the family care benefit under s.
13 46.286 (1).

14 **SECTION 44.** 50.035 (4n) (intro.) of the statutes is amended to read:

15 50.035 (4n) REQUIRED REFERRAL. (intro.) When a community-based residential
16 facility first provides written information regarding the community-based
17 residential facility to a prospective resident who is at least 65 years of age or has
18 developmental disability or a physical disability and whose disability or condition is
19 expected to last at least 90 days, the community-based residential facility shall refer
20 the individual to a resource center or other entity under s. 46.283 or, if the secretary
21 has not certified under s. 46.281 (3) that a resource center or other entity is available
22 in the area of the community-based residential facility to serve individuals in an
23 eligibility group to which the prospective resident belongs, to the county department
24 that administers a program under ss. 46.27 or 46.277, unless any of the following
25 applies:

1 **SECTION 45.** 50.035 (4n) (a) of the statutes is amended to read:

2 50.035 (4n) (a) For a person for whom a screening for functional eligibility
3 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral
4 under this subsection need not include performance of an additional functional
5 screening under s. 46.283 (4) ~~(g)~~ (3) (o).

6 **SECTION 46.** 50.035 (4n) (d) of the statutes is amended to read:

7 50.035 (4n) (d) For a person who seeks admission or is about to be admitted on
8 a private pay basis and who waives the requirement for a financial and cost-sharing
9 screening under s. 46.283 (4) ~~(g)~~ (3) (o), the referral under this subsection may not
10 include performance of a financial and cost-sharing screening under s. 46.283 (4) ~~(g)~~
11 (3) (o), unless the person is expected to become eligible for medical assistance within
12 6 months.

13 **SECTION 47.** 50.035 (4p) of the statutes is amended to read:

14 50.035 (4p) **APPLICABILITY.** Subsection (4m) applies only if the secretary has
15 certified under s. 46.281 (3) that a resource center or other entity is available for the
16 community-based residential facility and for specified groups of eligible individuals
17 that include those persons seeking admission to or the residents of the
18 community-based residential facility.

19 **SECTION 48.** 50.04 (2g) (a) of the statutes is amended to read:

20 50.04 (2g) (a) Subject to sub. (2i), a nursing home shall, within the time period
21 after inquiry by a prospective resident that is prescribed by the department by rule,
22 inform the prospective resident of the services of a resource center or other entity
23 under s. 46.283, the family care benefit under s. 46.286, and the availability of a
24 functional screening and a financial and cost-sharing screening to determine the
25 prospective resident's eligibility for the family care benefit under s. 46.286 (1).

1 **SECTION 49.** 50.04 (2h) (a) (intro.) of the statutes is amended to read:

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

7 **SECTION 50.** 50.04 (2h) (a) 1. of the statutes is amended to read:

8 50.04 (2h) (a) 1. For a person for whom a screening for functional eligibility
9 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral
10 under this paragraph need not include performance of an additional functional
11 screening under s. 46.283 (4) ~~(g)~~ (3) (o).

12 **SECTION 51.** 50.04 (2h) (a) 4. of the statutes is amended to read:

13 50.04 (2h) (a) 4. For a person who seeks admission or is about to be admitted
14 on a private pay basis and who waives the requirement for a financial and
15 cost-sharing screening under s. 46.283 (4) ~~(g)~~ (3) (o), the referral under this
16 subsection may not include performance of a financial and cost-sharing screening
17 under s. 46.283 (4) ~~(g)~~ (3) (o), unless the person is expected to become eligible for
18 medical assistance within 6 months.

19 **SECTION 52.** 50.04 (2i) of the statutes is amended to read:

20 50.04 (2i) APPLICABILITY. Subsections (2g) and (2h) apply only if the secretary
21 has certified under s. 46.281 (3) that a resource center or other entity is available for
22 the nursing home and for specified groups of eligible individuals that include those
23 persons seeking admission to or the residents of the nursing home.

24 **SECTION 53.** 50.04 (2m) (b) of the statutes is amended to read:

1 50.04 (2m) (b) Paragraph (a) does not apply to those residents for whom the
2 secretary has certified under s. 46.281 (3) that a resource center or other entity is
3 available.

4 **SECTION 54.** 50.06 (7) of the statutes is amended to read:

5 50.06 (7) An individual who consents to an admission under this section may
6 request that an assessment be conducted for the incapacitated individual under the
7 long-term support community options program under s. 46.27 (6) or, if the secretary
8 has certified under s. 46.281 (3) that a resource center or other entity is available for
9 the individual, a functional screening and a financial and cost-sharing screening to
10 determine eligibility for the family care benefit under s. 46.286 (1). If admission is
11 sought on behalf of the incapacitated individual or if the incapacitated individual is
12 about to be admitted on a private pay basis, the individual who consents to the
13 admission may waive the requirement for a financial and cost-sharing screening
14 under s. 46.283 (4) ~~(g)~~ (3) (o), unless the incapacitated individual is expected to
15 become eligible for medical assistance within 6 months.

16 **SECTION 55.** 51.42 (3) (e) of the statutes is amended to read:

17 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
18 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3)
19 (c), and 938.78 (2) (a), any subunit of a county department of community programs
20 or tribal agency acting under this section may exchange confidential information
21 about a client, without the informed consent of the client, with any other subunit of
22 the same county department of community programs or tribal agency, with a
23 resource center or other contracted entity under s. 46.283 (2), a care management
24 organization, or a long-term care district, or with any person providing services to
25 the client under a purchase of services contract with the county department of

1 community programs or tribal agency or with a resource center or other contracted
2 entity under s. 46.283 (2), care management organization, or long-term care district,
3 if necessary to enable an employee or service provider to perform his or her duties,
4 or to enable the county department of community programs or tribal agency to
5 coordinate the delivery of services to the client. Any agency releasing information
6 under this paragraph shall document that a request was received and what
7 information was provided.

8 **SECTION 56.** 51.437 (4r) (b) of the statutes is amended to read:

9 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,
10 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a),
11 any subunit of a county department of developmental disabilities services or tribal
12 agency acting under this section may exchange confidential information about a
13 client, without the informed consent of the client, with any other subunit of the same
14 county department of developmental disabilities services or tribal agency, with a
15 resource center or other contracted entity under s. 46.283 (2), a care management
16 organization, or a long-term care district, or with any person providing services to
17 the client under a purchase of services contract with the county department of
18 developmental disabilities services or tribal agency or with a resource center or other
19 contracted entity under s. 46.283 (2), a care management organization, or a
20 long-term care district, if necessary to enable an employee or service provider to
21 perform his or her duties, or to enable the county department of developmental
22 disabilities services or tribal agency to coordinate the delivery of services to the
23 client. Any agency releasing information under this paragraph shall document that
24 a request was received and what information was provided.

25 (END)