




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 C **... 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-1130/P3
TJD:kjf:jj

P4

In: 1/24/15

DOA:.....Dombrowski, BB0401 – Merge DHS divisions to create Division of Medicaid Services

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

due
1/25

Don't Gen

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

Analysis by the Legislative Reference Bureau

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

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

2 SECTION 1. 13.101 (6) (a) of the statutes is amended to read:
3 13.101 (6) (a) As an emergency measure necessitated by decreased state
4 revenues and to prevent the necessity for a state tax on general property, the
5 committee may reduce any appropriation made to any board, commission,
6 department, or the University of Wisconsin System, or to any other state agency or
7 activity, by such amount as it deems feasible, not exceeding 25% of the
8 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and

(5) ✓

1 (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af),
 2 (aq), (ar), and (au), 20.435 (7) (4) (a) and (7) (da), and 20.437 (2) (a) and (dz) or for
 3 forestry purposes under s. 20.370 (1), or any other moneys distributed to any county,
 4 city, village, town, or school district. Appropriations of receipts and of a sum
 5 sufficient shall for the purposes of this section be regarded as equivalent to the
 6 amounts expended under such appropriations in the prior fiscal year which ended
 7 June 30. All functions of said state agencies shall be continued in an efficient
 8 manner, but because of the uncertainties of the existing situation no public funds
 9 should be expended or obligations incurred unless there shall be adequate revenues
 10 to meet the expenditures therefor. For such reason the committee may make
 11 reductions of such appropriations as in its judgment will secure sound financial
 12 operations of the administration for said state agencies and at the same time
 13 interfere least with their services and activities.

14 **SECTION 2.** 20.435 (4) (title) of the statutes is repealed and recreated to read:
 15 20.435 (4) (title) MEDICAID SERVICES.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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

17 20.435 (4) (a) *General program operations.* The amounts in the schedule for
 18 general program operations, including health care financing regulation,
 19 administration, field services, operation of the council on physical disabilities under
 20 s. 46.29, and medical assistance eligibility determinations under s. 49.45 (2) (a) 3.

21 **SECTION 4.** 20.435 (4) (iL) of the statutes is amended to read:

22 20.435 (4) (iL) *Medical assistance provider assessments; health services*
 23 *regulation.* All moneys received from assessments charged under s. 49.45 (2) (b) 9.

1 and all moneys received under s. 150.13, for performance by the department of audits
2 and investigations under s. 49.45 (3) (g) and for the purposes specified in ch. 150.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

Insert
3-3

****NOTE: The addition of the material from sub. (7) (gm) to this appropriation means that instead of limiting the amount of moneys received under s. 150.13 to a specified amount in the schedule, DHS would be able to use all moneys received for the purposes of ch. 150.

3 SECTION 5. 20.435 (5) (gg) of the statutes is amended to read:

4 20.435 (5) (gg) *Collection remittances to local units of government.* All moneys
5 received under ss. 46.03 (18) and 46.10, less moneys credited to sub. (7) (ge) and (h)
6 (4) (hp), for the purposes of remitting departmental collections under s. 46.03 (18) (g)
7 or 46.10 (8m) (a) 3. and 4.

8 SECTION 6. 20.435 (7) (title) of the statutes is repealed and recreated to read:

9 20.435 (7) (title) ~~COMMUNITY SERVICES.~~ **DISABILITY AND ELDER**

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

Insert
3-11
10

SECTION 7. 20.435 (7) (a) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 SECTION 8. 20.435 (7) (gc) of the statutes is repealed. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12 SECTION 9. 20.435 (7) (gm) of the statutes is repealed. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 SECTION 10. 20.435 (7) (h) of the statutes is renumbered 20.435 (4) (hp) and
14 amended to read:

15 20.435 (4) (hp) *Disabled children's long-term support waivers.* All moneys
16 received under ss. 46.03 (18) and 46.10 for services for children reimbursed under a
17 waiver under s. 46.27 (11), 46.275, or 46.278 or provided under the disabled children's

1 long-term support program, as defined in s. 46.011 (1g), ~~less the amounts~~
2 ~~appropriated under par. (ge)~~, for distribution to counties according to a formula
3 developed by the department as a portion of the state share of payments for services
4 for children under the waiver under s. 46.278 or for services provided under the
5 disabled children's long-term support program.

Insert
4-b

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 SECTION 11. 20.435 (7) (hs) of the statutes is renumbered 20.435 (4) (hs). ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 SECTION 12. 20.435 (7) (i) of the statutes is repealed. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

Insert
8
4-8

8 SECTION 13. 20.435 (7) (jb) of the statutes is repealed. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 SECTION 14. 20.435 (7) (kx) of the statutes is repealed. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 SECTION 15. 20.435 (7) (m) of the statutes is repealed. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 SECTION 16. 20.435 (7) (mc) of the statutes is repealed. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12 SECTION 17. 20.435 (7) (n) of the statutes is repealed. ✓

Insert
4-13

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 SECTION 18. 46.29 (1) (intro.) of the statutes is amended to read:

14 46.29 (1) (intro.) From the appropriation account under s. 20.435 (7) (4) (a), the
15 department shall distribute at least \$16,100 in each fiscal year for operation of the

1 council on physical disabilities. The council on physical disabilities shall do all of the
2 following:

3 SECTION 19. 46.295 (1) of the statutes is amended to read:

4 46.295 (1) The department may, on the request of any hearing-impaired
5 person, city, village, town, or county or private agency, provide funds from the
6 appropriation accounts under s. 20.435 (4) (hs) and (7) (d) and ~~(hs)~~ to reimburse
7 interpreters for hearing-impaired persons for the provision of interpreter services.

Handwritten note: "Insert 5-8" with an arrow pointing to line 7.

8 SECTION 9118. Nonstatutory provisions; Health Services.

9 (1) MERGER OF DIVISIONS INTO MEDICAID SERVICES DIVISION. Before March 31,
10 2016, the department of health services shall submit to the state budget office in the
11 department of administration a report of the final organization of the merger of the
12 division of the department of health services relating to long-term care and the
13 division of the department of health services relating to health care access and
14 accountability into a single division of the department of health services relating to
15 Medicaid services.

Handwritten note: "Insert FC" with an arrow pointing to line 16.

16 (END)

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

LRB-1130/P4ins
TJD:.....

1 **INSERT 2-21**

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 under s. 46.283, for services under the family
11 care benefit under s. 46.284 (5), for assisting victims of diseases, as provided in ss.
12 49.68, 49.683, and 49.685, for distributing grants under s. 146.64, and for reduction
13 of any operating deficits as specified in 2005 Wisconsin Act 15, section 3.
14 Notwithstanding s. 20.002 (1), the department may transfer from this appropriation
15 account to the appropriation account under sub. (5) (kc) funds in the amount of and
16 for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002
17 (1), the department may credit or deposit into this appropriation account and may
18 transfer between fiscal years funds that it transfers from the appropriation account
19 under sub. (5) (kc) for the purposes specified in s. 46.485 (3r). Notwithstanding s.
20 20.002 (1), the department may transfer from this appropriation account to the
21 appropriation account under ~~sub. (7)~~ par. (bd) funds in the amount and for the
22 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), (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 (4) (h) of the statutes is repealed and recreated to read:

2 20.435 (4) (h) *County contributions.* All moneys received from counties as
3 contributions to the family care program under s. 46.2805 to 46.2895, the program
4 of all-inclusive care for the elderly defined in s. 46.2805 (1) (a), and the Family Care
5 Partnership program described under s. 46.2805 (1) (b) and from counties under ss.
6 46.99 (3) and (3m) and 46.995; to fund services under the family care program under
7 s. 46.284 (5) and services under the program of all-inclusive care for the elderly and
8 the Family Care Partnership program and for an entity to administer and to pay for
9 services provided under the birth to 3 waiver program under s. 46.99 and the disabled
10 children's long-term support program.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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

12 20.435 (4) (i) *Gifts, grants, and payments; health care financing.* All moneys
13 received from gifts, grants, bequests and trust funds to provide ~~health care financing~~
14 Medical Assistance, food stamp, and disability and elder services consistent with the
15 purpose of the gift, grant, bequest or trust fund, and all moneys received from
16 payments from nongovernmental individuals and entities for departmental
17 administrative services, for the purposes for which those payments are received.

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).

18 **END INSERT 2-21**

1 **INSERT 3-3**

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

3 20.435 (4) (im) *Medical assistance; correct payment recovery; collections;*
4 community services; other recoveries. All moneys received from the recovery of
5 correct medical assistance payments under ss. 49.496 and 49.849, all moneys
6 received as collections and other recoveries from providers, drug manufacturers, and
7 other 3rd parties under medical assistance performance-based contracts, all moneys
8 received from the recovery of costs of care under ss. 46.27 (7g) and 49.849 for
9 enrollees who are ineligible for Medical Assistance, all moneys not appropriated
10 under par. (in), and all moneys credited to this appropriation account under s. 49.89
11 (7) (f), for payments to counties and tribal governing bodies under s. 49.496 (4) (a),
12 for payment of claims under s. 49.849 (5), for payments to the federal government for
13 its share of medical assistance benefits recovered, for the state share of medical
14 assistance benefits provided under subch. IV of ch. 49, for payments to care
15 management organizations for provision of the family care benefit under s. 46.284
16 (5), for payments for long-term community support services funded under s. 46.27
17 (7) as provided in s. 46.27 (7g) (e) and 49.849 (6) (b), for administration of the waiver
18 program under s. 46.99, and for costs related to collections and other recoveries.

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).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

19 **SECTION 5.** 20.435 (4) (o) of the statutes is amended to read:

1 20.435 (4) (o) *Federal aid; medical assistance.* All federal moneys received for
 2 meeting costs of Medical Assistance administered under ss. 46.284 (5) and 49.665
 3 and subch. IV of ch. 49, to be used for those purposes, for transfer to the Medical
 4 Assistance trust fund, for those purposes, and for transfer to the appropriation
 5 account under sub. (5) (kx) for the purposes specified under sub. (5) (kx), ~~and to~~
 6 ~~transfer to the appropriation account under s. 20.435 (7) (im) \$19,100 in fiscal year~~
 7 ~~2009-10 and \$20,900 in fiscal year 2010-11.~~

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).

8 **SECTION 6.** 20.435 (5) (da) of the statutes is amended to read:

9 20.435 (5) (da) *Reimbursements to local units of government.* A sum sufficient
 10 for the cost of care as provided in s. 51.22 (3) for persons who have a developmental
 11 disability or who require mental health or alcoholism or other drug abuse treatment.

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).

12 **END INSERT 3-3**

13 **INSERT 3-11**

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

15 20.435 (7) (b) *Community aids and Medical Assistance payments.* The
 16 amounts in the schedule for human services under s. 46.40, to fund services provided
 17 by resource centers under s. 46.283 (5), to fund activities in support of resource center
 18 operations, for services under the family care benefit under s. 46.284 (5), for Medical

1 Assistance payment adjustments under s. 49.45 (52) (a) for services described in s.
 2 49.45 (52) (a) 1., for Medical Assistance payments under s. 49.45 (6tw), and for
 3 Medical Assistance payments under s. 49.45 (53) for services described in s. 49.45
 4 (53) that are provided before January 1, 2012. Social services disbursements under
 5 s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to
 6 payments made under s. 46.03 (20) (b) for the provision of services for which moneys
 7 are appropriated under this paragraph shall be returned to this appropriation.
 8 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health services
 9 may transfer funds between fiscal years under this paragraph. The department
 10 shall deposit into this appropriation funds it recovers under ss. 46.495 (2) (b) and
 11 51.423 (15), from prior year audit adjustments including those resulting from audits
 12 of services under s. 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to
 13 be carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and
 14 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by
 15 December 31 of each year shall lapse to the general fund on the succeeding January
 16 1 unless carried forward to the next calendar 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. 345 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).

17 **SECTION 8.** 20.435 (7) (bd) of the statutes is renumbered 20.435 (4) (bd).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 **SECTION 9.** 20.435 (7) (da) of the statutes is repealed. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

19 **SECTION 10.** 20.435 (7) (g) of the statutes is repealed. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **END INSERT 3-11**

2 **INSERT 4-6**

3 **SECTION 11.** 20.435 (7) (hc) of the statutes is repealed. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **END INSERT 4-6**

5 **INSERT 4-8**

6 **SECTION 12.** 20.435 (7) (im) of the statutes is repealed. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 13.** 20.435 (7) (jb) of the statutes is renumbered 20.435 (4) (jc) and
8 amended to read:

9 20.435 (4) (jc) *Fees for administrative services.* All moneys received from fees
10 charged for providing state mailings, special computer services, training programs,
11 printed materials, and publications relating to long-term care services, for the
12 purpose of providing those state mailings, special computer services, training
13 programs, printed materials, and publications.

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).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. ✓ ✓

****NOTE: Please note that I could not move (7) (jb) to (4) (jb) as requested because there is an existing appropriation at (4) (jb).

14 **END INSERT 4-8**

15 **INSERT 4-13**

16 **SECTION 14.** 25.77 (2) of the statutes is amended to read:

1 25.77 (2) All public funds that are related to payments under s. 49.45 and that
 2 are transferred or certified under 42 CFR 433.51 (b) and used as the nonfederal and
 3 federal share of Medical Assistance funding, except funds that are deposited into the
 4 appropriation accounts under s. 20.435 (4) ~~(h)~~, (kx), or (ky).

History: 2001 a. 13, 16; 2003 a. 33, 129, 318; 2005 a. 15, 25; 2007 a. 20 ss. 697d to 697p, 9121 (6) (a); 2007 a. 95; 2009 a. 2, 28, 190; 2011 a. 32.

****NOTE: Since the purpose for and deposits into s. 20.435 (4) (h) are completely different than they were, I eliminated the cross-reference to it here. Please confirm that this meets your intent.

5 **SECTION 15.** 46.27 (7) (am) of the statutes is amended to read:

6 46.27 (7) (am) From the appropriation under s. 20.435 ~~(7)~~ (4) (bd), the
 7 department shall allocate funds to each county or private nonprofit agency with
 8 which the department contracts to pay assessment and case plan costs under sub.
 9 (6) not otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall
 10 reimburse multicounty consortia for the cost of assessing persons eligible for medical
 11 assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) as part of the administrative
 12 services of medical assistance, payable under s. 49.45 (3) (a). Counties may use
 13 unspent funds allocated under this paragraph to pay the cost of long-term
 14 community support services and for a risk reserve under par. (fr).

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.

15 **SECTION 16.** 46.27 (7) (b) of the statutes is amended to read:

16 46.27 (7) (b) From the appropriations under s. 20.435 ~~(7)~~ (4) (bd) and (im), the
 17 department shall allocate funds to each county to pay the cost of providing long-term
 18 community support services under sub. (5) (b) not otherwise paid under s. 49.45 to
 19 persons eligible for medical assistance under s. 49.46, 49.47, or 49.471 (4) (a) or to
 20 persons whom the county department or aging unit administering the program finds
 21 likely to become medically indigent within 6 months by spending excess income or
 22 assets for medical or remedial care. The average per person reimbursement under

1 this paragraph may not exceed the state share of the average per person payment
 2 rate the department expects under s. 49.45 (6m). The county department or aging
 3 unit administering the program may spend funds received under this paragraph
 4 only in accordance with the case plan and service contract created for each person
 5 receiving long-term community support services. Counties may use unspent funds
 6 allocated under this paragraph from the appropriation under s. 20.435 ~~(7)~~ ^{✓✓} (4) (bd) for
 7 a risk reserve under par. (fr).

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 17. 46.27 (7) (b) of the statutes is amended to read:**

9 46.27 (7) (b) From the appropriations under s. 20.435 ~~(7)~~ ^{✓✓} (4) (bd) and (im), the
 10 department shall allocate funds to each county to pay the cost of providing long-term
 11 community support services under sub. (5) (b) not otherwise paid under s. 49.45 to
 12 persons eligible for medical assistance under s. 49.46, 49.47, or 49.471 (4) (a) or to
 13 persons whom the county department or aging unit administering the program finds
 14 likely to become medically indigent within 6 months by spending excess income or
 15 assets for medical or remedial care. The average per person reimbursement under
 16 this paragraph may not exceed the state share of the average per person payment
 17 rate the department expects under s. 49.45 (6m). The county department or aging
 18 unit administering the program may spend funds received under this paragraph
 19 only in accordance with the case plan and service contract created for each person
 20 receiving long-term community support services. Counties may use unspent funds
 21 allocated under this paragraph from the appropriation under s. 20.435 ~~(7)~~ ^{✓✓} (4) (bd) for
 22 a risk reserve under par. (fr).

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.

23 **SECTION 18. 46.27 (7) (fm) of the statutes is amended to read:**

WJ

1 46.27 (7) (fm) The department shall, at the request of a county, carry forward
 2 up to 5% of the amount allocated under this subsection to the county for a calendar
 3 year if up to 5% of the amount so allocated has not been spent or encumbered by the
 4 county by December 31 of that year, for use by the county in the following calendar
 5 year, except that the amount carried forward shall be reduced by the amount of funds
 6 that the county has notified the department that the county wishes to place in a risk
 7 reserve under par. (fr). The department may transfer funds within s. 20.435 ~~(7)~~ ⁽⁴⁾
 8 (bd) to accomplish this purpose. An allocation under this paragraph does not affect
 9 a county's base allocation under this subsection and shall lapse to the general fund
 10 unless expended within the calendar year to which the funds are carried forward.
 11 A county may not expend funds carried forward under this paragraph for
 12 administrative or staff costs, except administrative or staff costs that are associated
 13 with implementation of the waiver under sub. (11) and approved by the department.

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.

14 **SECTION 19.** 46.27 (7) (g) (intro.) of the statutes is amended to read:

15 46.27 (7) (g) (intro.) The department may carry forward to the next state fiscal
 16 year funds allocated under this subsection and not encumbered by counties by
 17 December 31 or carried forward under par. (fm). The department may transfer
 18 moneys within s. 20.435 ~~(7)~~ ⁽⁴⁾ (bd) to accomplish this purpose. An allocation under
 19 this paragraph shall not affect a county's base allocation for the program. The
 20 department may allocate these transferred moneys during the next fiscal year to
 21 counties for planning and implementation of resource centers under s. 46.283 or care
 22 management organizations under s. 46.284 and for the improvement or expansion
 23 of long-term community support services for clients whose cost of care significantly

1 exceeds the average cost of care provided under this section, including any of the
2 following:

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 20. 46.27 (7g) (d)** of the statutes [✓]is amended to read:

4 46.27 (7g) (d) The department may require the county department or aging
5 unit selected to administer the program in each county to gather and provide the
6 department with information needed to recover payment of long-term community
7 support services under this subsection. The department shall pay to the county
8 department or aging unit an amount equal to 5% of the recovery collected by the
9 department relating to a beneficiary for whom the county department or aging unit
10 made the last determination of eligibility for funding under sub. (7). A county
11 department or aging unit may use funds received under this paragraph only to pay
12 costs incurred under this paragraph and shall remit the remainder, if any, to the
13 department for deposit in the appropriation account under s. 20.435 ~~(7)~~ [✓](4) [✓](im). The
14 department may withhold payments under this paragraph for failure to comply with
15 the department's requirements under this paragraph. The department shall treat
16 payments made under this paragraph as costs of administration 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.

17 **SECTION 21. 46.27 (7g) (e)** of the statutes [✓]is amended to read:

18 46.27 (7g) (e) From the appropriation under s. 20.435 ~~(7)~~ [✓](4) [✓](im), the
19 department shall pay the amount of the payments under par. (d) and shall spend the
20 remainder of the funds recovered under this subsection for long-term community
21 support services funded under sub. (7) (b).

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.

22 **SECTION 22. 46.27 (11) (c) 3.** of the statutes is amended to read:

1 46.27 (11) (c) 3. Medical assistance reimbursement for services a county, a
 2 private nonprofit agency or an aging unit with which the department contracts
 3 provides under this subsection shall be made from the appropriations under s. 20.435
 4 (4) ~~(bd)~~ and (o) and (7) (b) ~~and (bd)~~.

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.

5 **SECTION 23.** 46.271 (1) (a) (intro.) of the statutes is amended to read:

6 46.271 (1) (a) (intro.) From the appropriation under s. 20.435 ~~(7)~~ (4) (bd), the
 7 department shall award \$100,000 in each fiscal year to applying county departments
 8 under s. 46.215, 46.22, 46.23, 51.42 or 51.437 or to an aging unit under the conditions
 9 specified in par. (c) to establish pilot projects for home and community-based
 10 long-term support services. Funds awarded to the pilot projects shall be used to do
 11 any of the following:

History: 1989 a. 31, 336; 1991 a. 39, 235; 1993 a. 16; 1997 a. 27; 1999 a. 9.

12 **SECTION 24.** 46.281 (4) (d) of the statutes is amended to read:

13 46.281 (4) (d) The department shall deposit payments made by counties under
 14 this subsection in the appropriation account under s. 20.435 ~~(7)~~ ~~(g)~~ (4) (h).

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

15 **SECTION 25.** 46.283 (5) of the statutes is amended to read:

16 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
 17 ~~(bd)~~, (bm), (gm), (pa), and (w) and (7) (b), ~~(bd)~~, and (md), the department may contract
 18 with organizations that meet standards under sub. (3) for performance of the duties
 19 under sub. (4) and shall distribute funds for services provided by 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.

20 **SECTION 26.** 46.283 (5) of the statutes is amended to read:

21 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
 22 ~~(bd)~~, (bm), (gm), (pa), and (w) and (7) (b), ~~(bd)~~, and (md), the department may contract

1 with organizations that meet standards under sub. (3) for performance of the duties
2 under sub. (4) and shall distribute funds for services provided by resource centers.

3 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.

3 SECTION 27. 46.284 (5) (a) of the statutes is amended to read:

4 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (bd), (g),
5 (gm), (h), (im), (o), and (w) and (7) (b), (bd), and (g), the department shall provide
6 funding on a capitated payment basis for the provision of services under this section.
7 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is
8 under contract with the department may expend the funds, consistent with this
9 section, including providing payment, on a capitated basis, to providers of services
10 under the family care benefit.

11 History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 264, 386; 2007 a. 20; 2009 a. 2, 28; 2011 a. 10, 32, 126; 2013 a. 165 s. 114.

11 SECTION 28. 46.284 (5) (a) of the statutes is amended to read:

12 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (bd), (g),
13 (gm), (h), (im), (o), and (w) and (7) (b), (bd), and (g), the department shall provide
14 funding on a capitated payment basis for the provision of services under this section.
15 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is
16 under contract with the department may expend the funds, consistent with this
17 section, including providing payment, on a capitated basis, to providers of services
18 under the family care benefit.

19 History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 264, 386; 2007 a. 20; 2009 a. 2, 28; 2011 a. 10, 32, 126; 2013 a. 165 s. 114.

19 END INSERT 4-13

20 INSERT 5-8

21 SECTION 29. 46.99 (4) of the statutes is amended to read:

22 46.99 (4) From the appropriation account under s. 20.435 (4) (o), the
23 department may distribute to counties that provide services under this section the
24 amount of federal moneys received by the state as the federal share of medical

1 assistance for those services, minus the amount transferred to the appropriation
2 account under s. 20.435 (7) (4) (im) for the department's costs of administering this
3 section. Counties shall use moneys distributed under this section to provide services
4 under this section or s. 51.44.

History: 2009 a. 28; 2011 a. 32.

5 **SECTION 30.** 49.45 (6v) (c) of the statutes is amended to read:

6 49.45 (6v) (c) If the report specified in par. (b) indicates that utilization of beds
7 by recipients of medical assistance in facilities is less than estimates for that
8 utilization reflected in the intentions of the joint committee on finance, legislature
9 and governor, as expressed by them in the budget determinations, the department
10 shall include a proposal to transfer moneys from the appropriation under s. 20.435
11 (4) (b) to the appropriation under s. 20.435 (7) (4) (bd) for the purpose of increasing
12 funding for the community options program under s. 46.27. The amount proposed
13 for transfer may not reduce the balance in the appropriation account under s. 20.435
14 (4) (b) below an amount necessary to ensure that that appropriation account will end
15 the current fiscal year or the current fiscal biennium with a positive balance. The
16 secretary shall transfer the amount identified under the proposal.

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 98r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321; 2005 a. 22; 2005 a. 25 ss. 1120 to 1149f, 2503 to 2510; 2005 a. 107, 165, 253, 254, 264, 301, 340, 386, 441; 2007 a. 20 ss. 1513 to 1559h, 9121 (6) (a); 2007 a. 90, 97, 104, 141, 153; 2009 a. 2, 28, 113, 177, 180, 190, 221, 334, 342; 2011 a. 10, 32, 120, 126, 158, 192, 209, 258; 2011 a. 260 s. 81; 2013 a. 20, 92; 2013 a. 116 ss. 2, 3, 29, 30; 2013 a. 117 ss. 2, 4; 2013 a. 130; 2013 a. 165 s. 114; 2013 a. 226.

17 **SECTION 31.** 49.472 (5) of the statutes is amended to read:

18 49.472 (5) COMMUNITY OPTIONS PARTICIPANTS. From the appropriation under s.
19 20.435 (7) (4) (bd), the department may pay all or a portion of the monthly premium
20 calculated under sub. (4) (a) for an individual who is a participant in the community
21 options program under s. 46.27 (11).

History: 1999 a. 9, 185; 2001 a. 16; 2003 a. 33; 2009 a. 2; 2011 a. 10, 32.

1 **SECTION 32.** 49.849 (6) (b) of the statutes is amended to read:

2 49.849 (6) (b) From the appropriation under s. 20.435 (~~7~~) [✓] [✓] (4) (im), with respect
3 to funds collected by the department under sub. (2) related to long-term community
4 support services funded under s. 46.27 (7) paid on behalf of the decedent or the
5 decedent's spouse, the department shall pay claims under sub. (5) and shall spend
6 the remainder of the funds recovered under this section for long-term community
7 support services funded under s. 46.27 (7).

8 History: 2013 a. 20 ss. 1222, 2305, 2307, 2308, 2310 to 2312, 2314 to 2317; 2013 a. 92; 2013 a. 151 s. 28.

8 **SECTION 33.** 51.22 (3) of the statutes is amended to read:

9 51.22 (3) Whenever an admission is made through the department, the
10 department shall determine the need for inpatient care of the individual to be
11 admitted. Unless a state-operated facility is used, the department may only
12 authorize care in an inpatient facility which is operated by or under a purchase of
13 service contract with a county department under s. 51.42 or 51.437 or an inpatient
14 facility which is under a contractual agreement with the department. Except in the
15 case of state treatment facilities, the department shall reimburse the facility for the
16 actual cost of all authorized care and services from the appropriation under s. 20.435
17 (~~7~~) [✓] [✓] (5) (da). For collections made under the authority of s. 46.10 (16), moneys shall
18 be credited or remitted to the department no later than 60 days after the month in
19 which collections are made. Such collections are also subject to s. 46.036 or special
20 agreement. Collections made by the department under ss. 46.03 (18) and 46.10 shall
21 be deposited in the general fund.

22 History: 1975 c. 430; 1977 c. 428; 1983 a. 27 s. 2202 (20); 1983 a. 474; 1985 a. 176; 1989 a. 31; 2001 a. 16; 2005 a. 387, 444; 2009 a. 28.

22 **SECTION 34.** 51.42 (1) (b) of the statutes is amended to read:

23 51.42 (1) (b) *County liability.* The county board of supervisors except in
24 Milwaukee County, has the primary responsibility for the well-being, treatment and

1 care of the mentally ill, developmentally disabled, alcoholic and other drug
2 dependent citizens residing within its county and for ensuring that those individuals
3 in need of such emergency services found within its county receive immediate
4 emergency services. In Milwaukee County, the Milwaukee County mental health
5 board has the primary responsibility for the well-being, treatment and care of the
6 mentally ill, alcoholic, and other drug dependent citizens residing within Milwaukee
7 County and for ensuring that those individuals in need of such emergency services
8 found within Milwaukee County receive immediate emergency services. The county
9 board of supervisors of Milwaukee County has the primary responsibility for the
10 well-being, treatment, and care of the developmentally disabled citizens residing
11 within Milwaukee County, except where the responsibility is delegated explicitly
12 under this section to the Milwaukee County mental health board, and for ensuring
13 that developmentally disabled individuals in need of such emergency services found
14 within Milwaukee County receive immediate emergency services. This primary
15 responsibility is limited to the programs, services and resources that the county
16 board of supervisors, or, as applicable, the Milwaukee County mental health board,
17 is reasonably able to provide within the limits of available state and federal funds
18 and of county funds required to be appropriated to match state funds. County
19 liability for care and services purchased through or provided by a county department
20 of community programs established under this section shall be based upon the
21 client's county of residence except for emergency services for which liability shall be
22 placed with the county in which the individual is found. For the purpose of
23 establishing county liability, "emergency services" includes those services provided
24 under the authority of s. 55.05 (4), 2003 stats., or s. 55.06 (11) (a), 2003 stats., or s.
25 51.15, 51.45 (11) (a) or (b) or (12), 55.13, or 55.135 for not more than 72 hours.

1 Nothing in this paragraph prevents recovery of liability under s. 46.10 or any other
 2 statute creating liability upon the individual receiving a service or any other
 3 designated responsible party, or prevents reimbursement by the department of
 4 health services for the actual cost of all care and services from the appropriation
 5 under s. 20.435 [✓](~~7~~) [✓](5) (da), as provided in s. 51.22 (3).

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), (q); 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, 352, 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.

6 **END INSERT 5-8**

7 **INSERT FC**

8 **SECTION 9218. Fiscal changes; Health Services.**

9 (1) **MERGER OF DIVISIONS INTO MEDICAID SERVICES DIVISION.**

10 (a) The unencumbered balances of the appropriations to the department of
 11 health services under section 20.435 (7) (g) and (hc) of the statutes, as affected by this
 12 act, ^{is} ~~is~~ ^{are} transferred to the appropriation account under section 20.435 (4) (h) of the
 13 statutes, as affected by this act, on the effective date of this paragraph.

14 (b) The unencumbered balances of the appropriations to the department of
 15 health services under section 20.435 (7) (gc) and (h) of the statutes, as affected by this
 16 act, ^{is} ~~is~~ ^{are} transferred to the appropriation account under section 20.435 (4) (hp) of the
 17 statutes, as affected by this act, on the effective date of this paragraph.

18 (c) The unencumbered balance of the appropriation to the department of health
 19 services under section 20.435 (7) (gm) of the statutes, as affected by this act, is
 20 transferred to the appropriation account under section 20.435 (4) (iL) of the statutes,
 21 as affected by this act, on the effective date of this paragraph.

22 (d) The unencumbered balance of the appropriation to the department of health
 23 services under section 20.435 (7) (hs) of the statutes, as affected by this act, is

Fix Components - hand numbers

Fix Components - Head Numbers

1 transferred to the appropriation account under section 20.435 (4) (hs) of the statutes,
2 as affected by this act, on the effective date of this paragraph.

3 (e) The unencumbered balance of the appropriation to the department of health
4 services under section 20.435 (7) (i) of the statutes, as affected by this act, is
5 transferred to the appropriation account under section 20.435 (4) (i) of the statutes,
6 as affected by this act, on the effective date of this paragraph.

7 (f) The unencumbered balance of the appropriation to the department of health
8 services under section 20.435 (7) (im) of the statutes, as affected by this act, is
9 transferred to the appropriation account under section 20.435 (4) (im) of the statutes,
10 as affected by this act, on the effective date of this paragraph.

11 (g) The unencumbered balance of the appropriation to the department of health
12 services under section 20.435 (7) (jb) of the statutes, as affected by this act, is
13 transferred to the appropriation account under section 20.435 (4) (jc) of the statutes,
14 as affected by this act, on the effective date of this paragraph.

15 (h) The unencumbered balance of the appropriation to the department of
16 health services under section 20.435 (7) (kx) of the statutes, as affected by this act,
17 is transferred to the appropriation account under section 20.435 (4) (kx) of the
18 statutes, as affected by this act, on the effective date of this paragraph.

19 (i) The unencumbered balance of the appropriations to the department of
20 health services under section 20.435 (7) (m) and (mc) of the statutes, as affected by
21 this act, ^{are} transferred to the appropriation account under section 20.435 (4) (m) of
22 the statutes, as affected by this act, on the effective date of this paragraph.

23 (j) The unencumbered balance of the appropriation to the department of health
24 services under section 20.435 (7) (n) of the statutes, as affected by this act, is

- 1 transferred to the appropriation account under section 20.435 (4) (n) of the statutes,
2 as affected by this act, on the effective date of this paragraph.

***NOTE: Under section 20.002 (3m), an amount encumbered before the repeal of an appropriation is still paid from the appropriation that will be repealed. I believe it is necessary to transfer the balances of the program revenue appropriations as I have done in this fiscal change nonstatutory provision.

- 3 **END INSERT FC**



State of Wisconsin
2015 – 2016 LEGISLATURE

LRB-1130/P4
TJD:kjf:jm

DOA:.....Dombrowski, BB0401 – Merge DHS divisions to create Division of
Medicaid Services

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

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

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

2 **SECTION 1.** 13.101 (6) (a) of the statutes is amended to read:

3 13.101 (6) (a) As an emergency measure necessitated by decreased state
4 revenues and to prevent the necessity for a state tax on general property, the
5 committee may reduce any appropriation made to any board, commission,
6 department, or the University of Wisconsin System, or to any other state agency or
7 activity, by such amount as it deems feasible, not exceeding 25% of the
8 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and

1 (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af),
2 (aq), (ar), and (au), 20.435 ~~(7)~~ (4) (a) and (5) (da), and 20.437 (2) (a) and (dz) or for
3 forestry purposes under s. 20.370 (1), or any other moneys distributed to any county,
4 city, village, town, or school district. Appropriations of receipts and of a sum
5 sufficient shall for the purposes of this section be regarded as equivalent to the
6 amounts expended under such appropriations in the prior fiscal year which ended
7 June 30. All functions of said state agencies shall be continued in an efficient
8 manner, but because of the uncertainties of the existing situation no public funds
9 should be expended or obligations incurred unless there shall be adequate revenues
10 to meet the expenditures therefor. For such reason the committee may make
11 reductions of such appropriations as in its judgment will secure sound financial
12 operations of the administration for said state agencies and at the same time
13 interfere least with their services and activities.

14 **SECTION 2.** 20.435 (4) (title) of the statutes is repealed and recreated to read:
15 20.435 (4) (title) MEDICAID SERVICES.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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

17 20.435 (4) (a) *General program operations.* The amounts in the schedule for
18 general program operations, including health care financing regulation,
19 administration, field services, operation of the council on physical disabilities under
20 s. 46.29, and medical assistance eligibility determinations under s. 49.45 (2) (a) 3.

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

22 20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts
23 in the schedule to provide a portion of the state share of Medical Assistance program

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

19 **SECTION 5.** 20.435 (4) (h) of the statutes is repealed and recreated to read:

20 20.435 (4) (h) *County contributions.* All moneys received from counties as
21 contributions to the family care program under ss. 46.2805 to 46.2895, the program
22 of all-inclusive care for the elderly defined in s. 46.2805 (1) (a), and the Family Care
23 Partnership program described under s. 46.2805 (1) (b) and from counties under ss.
24 46.99 (3) and (3m) and 46.995; to fund services under the family care program under
25 s. 46.284 (5) and services under the program of all-inclusive care for the elderly and

1 the Family Care Partnership program and for an entity to administer and to pay for
2 services provided under the birth to 3 waiver program under s. 46.99 and the
3 disabled children's long-term support program.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 SECTION 6. 20.435 (4) (i) of the statutes is amended to read:

5 20.435 (4) (i) *Gifts, grants, and payments; health care financing.* All moneys
6 received from gifts, grants, bequests and trust funds to provide ~~health care financing~~
7 Medical Assistance, food stamp, and disability and elder services consistent with the
8 purpose of the gift, grant, bequest or trust fund, and all moneys received from
9 payments from nongovernmental individuals and entities for departmental
10 administrative services, for the purposes for which those payments are received.

11 SECTION 7. 20.435 (4) (iL) of the statutes is amended to read:

12 20.435 (4) (iL) *Medical assistance provider assessments; health services*
13 regulation. All moneys received from assessments charged under s. 49.45 (2) (b) 9.
14 and all moneys received under s. 150.13, for performance by the department of audits
15 and investigations under s. 49.45 (3) (g) and for the purposes specified in ch. 150.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 SECTION 8. 20.435 (4) (im) of the statutes is amended to read:

17 20.435 (4) (im) *Medical assistance; correct payment recovery; collections;*
18 community services; other recoveries. All moneys received from the recovery of
19 correct medical assistance payments under ss. 49.496 and 49.849, all moneys
20 received as collections and other recoveries from providers, drug manufacturers, and
21 other 3rd parties under medical assistance performance-based contracts, all moneys
22 received from the recovery of costs of care under ss. 46.27 (7g) and 49.849 for

1 enrollees who are ineligible for Medical Assistance, all moneys not appropriated
2 under par. (in), and all moneys credited to this appropriation account under s. 49.89
3 (7) (f), for payments to counties and tribal governing bodies under s. 49.496 (4) (a),
4 for payment of claims under s. 49.849 (5), for payments to the federal government for
5 its share of medical assistance benefits recovered, for the state share of medical
6 assistance benefits provided under subch. IV of ch. 49, for payments to care
7 management organizations for provision of the family care benefit under s. 46.284
8 (5), for payments for long-term community support services funded under s. 46.27
9 (7) as provided in s. 46.27 (7g) (e) and 49.849 (6) (b), for administration of the waiver
10 program under s. 46.99, and for costs related to collections and other recoveries.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 **SECTION 9.** 20.435 (4) (o) of the statutes is amended to read:

12 20.435 (4) (o) *Federal aid; medical assistance.* All federal moneys received for
13 meeting costs of Medical Assistance administered under ss. 46.284 (5) and 49.665
14 and subch. IV of ch. 49, to be used for those purposes, for transfer to the Medical
15 Assistance trust fund, for those purposes, and for transfer to the appropriation
16 account under sub. (5) (kx) for the purposes specified under sub. (5) (kx), ~~and to~~
17 ~~transfer to the appropriation account under s. 20.435 (7) (im) \$19,100 in fiscal year~~
18 ~~2009-10 and \$20,900 in fiscal year 2010-11.~~

19 **SECTION 10.** 20.435 (5) (da) of the statutes is amended to read:

20 20.435 (5) (da) *Reimbursements to local units of government.* A sum sufficient
21 for the cost of care as provided in s. 51.22 (3) for persons who have a developmental
22 disability or who require mental health or alcoholism or other drug abuse treatment.

23 **SECTION 11.** 20.435 (5) (gg) of the statutes is amended to read:

1 20.435 (5) (gg) *Collection remittances to local units of government*. All moneys
2 received under ss. 46.03 (18) and 46.10, less moneys credited to sub. ~~(7) (ge) and (h)~~
3 (4) (hp), for the purposes of remitting departmental collections under s. 46.03 (18) (g)
4 or 46.10 (8m) (a) 3. and 4.

5 **SECTION 12.** 20.435 (7) (title) of the statutes is repealed and recreated to read:
6 20.435 (7) (title) **DISABILITY AND ELDER SERVICES**.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 13.** 20.435 (7) (a) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 14.** 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 under s. 46.283 (5), to fund activities in support of resource center
12 operations, for services under the family care benefit under s. 46.284 (5), for Medical
13 Assistance payment adjustments under s. 49.45 (52) (a) for services described in s.
14 49.45 (52) (a) 1., for Medical Assistance payments under s. 49.45 (6tw), and for
15 Medical Assistance payments under s. 49.45 (53) for services described in s. 49.45
16 (53) that are provided before January 1, 2012. Social services disbursements under
17 s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to
18 payments made under s. 46.03 (20) (b) for the provision of services for which moneys
19 are appropriated under this paragraph shall be returned to this appropriation.
20 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health services
21 may transfer funds between fiscal years under this paragraph. The department
22 shall deposit into this appropriation funds it recovers under ss. 46.495 (2) (b) and

1 51.423 (15), from prior year audit adjustments including those resulting from audits
2 of services under s. 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to
3 be carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and
4 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by
5 December 31 of each year shall lapse to the general fund on the succeeding January
6 1 unless carried forward to the next calendar year by the joint committee on finance.

7 **SECTION 15.** 20.435 (7) (bd) of the statutes is renumbered 20.435 (4) (bd).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 16.** 20.435 (7) (da) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 17.** 20.435 (7) (g) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 **SECTION 18.** 20.435 (7) (gc) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 **SECTION 19.** 20.435 (7) (gm) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12 **SECTION 20.** 20.435 (7) (h) of the statutes is renumbered 20.435 (4) (hp) and
13 amended to read:

14 20.435 (4) (hp) *Disabled children's long-term support waivers.* All moneys
15 received under ss. 46.03 (18) and 46.10 for services for children reimbursed under a
16 waiver under s. 46.27 (11), 46.275, or 46.278 or provided under the disabled children's
17 long-term support program, as defined in s. 46.011 (1g), ~~less the amounts~~
18 ~~appropriated under par. (ge),~~ for distribution to counties according to a formula
19 developed by the department as a portion of the state share of payments for services

1 for children under the waiver under s. 46.278 or for services provided under the
2 disabled children's long-term support program.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 21.** 20.435 (7) (hc) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 22.** 20.435 (7) (hs) of the statutes is renumbered 20.435 (4) (hs).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 23.** 20.435 (7) (i) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 24.** 20.435 (7) (im) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 25.** 20.435 (7) (jb) of the statutes is renumbered 20.435 (4) (jc) and
8 amended to read:

9 20.435 (4) (jc) *Fees for administrative services.* All moneys received from fees
10 charged for providing state mailings, special computer services, training programs,
11 printed materials, and publications relating to long-term care services, for the
12 purpose of providing those state mailings, special computer services, training
13 programs, printed materials, and publications.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

***NOTE: Please note that I could not move (7) (jb) to (4) (jb) as requested because there is an existing appropriation at (4) (jb).

14 **SECTION 26.** 20.435 (7) (kx) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15 **SECTION 27.** 20.435 (7) (m) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 28.** 20.435 (7) (mc) of the statutes is repealed.

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 **SECTION 29.** 20.435 (7) (n) of the statutes is repealed.

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 30.** 25.77 (2) of the statutes is amended to read:

4 25.77 (2) All public funds that are related to payments under s. 49.45 and that
5 are transferred or certified under 42 CFR 433.51 (b) and used as the nonfederal and
6 federal share of Medical Assistance funding, except funds that are deposited into the
7 appropriation accounts under s. 20.435 (4) (~~h~~), (kx), or (ky).

 ***NOTE: Since the purpose for and deposits into s. 20.435 (4) (h) are completely different than they were, I eliminated the cross-reference to it here. Please confirm that this meets your intent.

8 **SECTION 31.** 46.27 (7) (am) of the statutes is amended to read:

9 46.27 (7) (am) From the appropriation under s. 20.435 (~~7~~) (4) (bd), the
10 department shall allocate funds to each county or private nonprofit agency with
11 which the department contracts to pay assessment and case plan costs under sub.
12 (6) not otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall
13 reimburse multicounty consortia for the cost of assessing persons eligible for medical
14 assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) as part of the administrative
15 services of medical assistance, payable under s. 49.45 (3) (a). Counties may use
16 unspent funds allocated under this paragraph to pay the cost of long-term
17 community support services and for a risk reserve under par. (fr).

18 **SECTION 32.** 46.27 (7) (b) of the statutes is amended to read:

19 46.27 (7) (b) From the appropriations under s. 20.435 (~~7~~) (4) (bd) and (im), the
20 department shall allocate funds to each county to pay the cost of providing long-term
21 community support services under sub. (5) (b) not otherwise paid under s. 49.45 to

1 persons eligible for medical assistance under s. 49.46, 49.47, or 49.471 (4) (a) or to
2 persons whom the county department or aging unit administering the program finds
3 likely to become medically indigent within 6 months by spending excess income or
4 assets for medical or remedial care. The average per person reimbursement under
5 this paragraph may not exceed the state share of the average per person payment
6 rate the department expects under s. 49.45 (6m). The county department or aging
7 unit administering the program may spend funds received under this paragraph
8 only in accordance with the case plan and service contract created for each person
9 receiving long-term community support services. Counties may use unspent funds
10 allocated under this paragraph from the appropriation under s. 20.435 ~~(7)~~ (4) (bd) for
11 a risk reserve under par. (fr).

12 **SECTION 33.** 46.27 (7) (fm) of the statutes is amended to read:

13 46.27 (7) (fm) The department shall, at the request of a county, carry forward
14 up to 5% of the amount allocated under this subsection to the county for a calendar
15 year if up to 5% of the amount so allocated has not been spent or encumbered by the
16 county by December 31 of that year, for use by the county in the following calendar
17 year, except that the amount carried forward shall be reduced by the amount of funds
18 that the county has notified the department that the county wishes to place in a risk
19 reserve under par. (fr). The department may transfer funds within s. 20.435 ~~(7)~~ (4)
20 (bd) to accomplish this purpose. An allocation under this paragraph does not affect
21 a county's base allocation under this subsection and shall lapse to the general fund
22 unless expended within the calendar year to which the funds are carried forward.
23 A county may not expend funds carried forward under this paragraph for
24 administrative or staff costs, except administrative or staff costs that are associated
25 with implementation of the waiver under sub. (11) and approved by the department.

1 **SECTION 34.** 46.27 (7) (g) (intro.) of the statutes is amended to read:

2 46.27 (7) (g) (intro.) The department may carry forward to the next state fiscal
3 year funds allocated under this subsection and not encumbered by counties by
4 December 31 or carried forward under par. (fm). The department may transfer
5 moneys within s. 20.435 (~~7~~) (4) (bd) to accomplish this purpose. An allocation under
6 this paragraph shall not affect a county's base allocation for the program. The
7 department may allocate these transferred moneys during the next fiscal year to
8 counties for planning and implementation of resource centers under s. 46.283 or care
9 management organizations under s. 46.284 and for the improvement or expansion
10 of long-term community support services for clients whose cost of care significantly
11 exceeds the average cost of care provided under this section, including any of the
12 following:

13 **SECTION 35.** 46.27 (7g) (d) of the statutes is amended to read:

14 46.27 (7g) (d) The department may require the county department or aging
15 unit selected to administer the program in each county to gather and provide the
16 department with information needed to recover payment of long-term community
17 support services under this subsection. The department shall pay to the county
18 department or aging unit an amount equal to 5% of the recovery collected by the
19 department relating to a beneficiary for whom the county department or aging unit
20 made the last determination of eligibility for funding under sub. (7). A county
21 department or aging unit may use funds received under this paragraph only to pay
22 costs incurred under this paragraph and shall remit the remainder, if any, to the
23 department for deposit in the appropriation account under s. 20.435 (~~7~~) (4) (im). The
24 department may withhold payments under this paragraph for failure to comply with

1 the department's requirements under this paragraph. The department shall treat
2 payments made under this paragraph as costs of administration of the program.

3 **SECTION 36.** 46.27 (7g) (e) of the statutes is amended to read:

4 46.27 (7g) (e) From the appropriation under s. 20.435 ~~(7)~~ (4) (im), the
5 department shall pay the amount of the payments under par. (d) and shall spend the
6 remainder of the funds recovered under this subsection for long-term community
7 support services funded under sub. (7) (b).

8 **SECTION 37.** 46.27 (11) (c) 3. of the statutes is amended to read:

9 46.27 (11) (c) 3. Medical assistance reimbursement for services a county, a
10 private nonprofit agency or an aging unit with which the department contracts
11 provides under this subsection shall be made from the appropriations under s. 20.435
12 (4) ~~(bd)~~ and (o) and (7) (b) ~~and (bd)~~.

13 **SECTION 38.** 46.271 (1) (a) (intro.) of the statutes is amended to read:

14 46.271 (1) (a) (intro.) From the appropriation under s. 20.435 ~~(7)~~ (4) (bd), the
15 department shall award \$100,000 in each fiscal year to applying county departments
16 under s. 46.215, 46.22, 46.23, 51.42 or 51.437 or to an aging unit under the conditions
17 specified in par. (c) to establish pilot projects for home and community-based
18 long-term support services. Funds awarded to the pilot projects shall be used to do
19 any of the following:

20 **SECTION 39.** 46.281 (4) (d) of the statutes is amended to read:

21 46.281 (4) (d) The department shall deposit payments made by counties under
22 this subsection in the appropriation account under s. 20.435 ~~(7)~~ (g) (4) (h).

23 **SECTION 40.** 46.283 (5) of the statutes is amended to read:

24 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
25 ~~(bd)~~, (bm), (gm), (pa), and (w) and (7) (b), ~~(bd)~~, and (md), the department may contract

1 with organizations that meet standards under sub. (3) for performance of the duties
2 under sub. (4) and shall distribute funds for services provided by resource centers.

3 **SECTION 41.** 46.284 (5) (a) of the statutes is amended to read:

4 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (bd), (g),
5 (gm), (h), (im), (o), and (w) and (7) (b), ~~(bd)~~, ~~and (g)~~, the department shall provide
6 funding on a capitated payment basis for the provision of services under this section.
7 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is
8 under contract with the department may expend the funds, consistent with this
9 section, including providing payment, on a capitated basis, to providers of services
10 under the family care benefit.

11 **SECTION 42.** 46.29 (1) (intro.) of the statutes is amended to read:

12 46.29 (1) (intro.) From the appropriation account under s. 20.435 ~~(7)~~ (4) (a), the
13 department shall distribute at least \$16,100 in each fiscal year for operation of the
14 council on physical disabilities. The council on physical disabilities shall do all of the
15 following:

16 **SECTION 43.** 46.295 (1) of the statutes is amended to read:

17 46.295 (1) The department may, on the request of any hearing-impaired
18 person, city, village, town, or county or private agency, provide funds from the
19 appropriation accounts under s. 20.435 (4) (hs) and (7) (d) ~~and (hs)~~ to reimburse
20 interpreters for hearing-impaired persons for the provision of interpreter services.

21 **SECTION 44.** 46.99 (4) of the statutes is amended to read:

22 46.99 (4) From the appropriation account under s. 20.435 (4) (o), the
23 department may distribute to counties that provide services under this section the
24 amount of federal moneys received by the state as the federal share of medical
25 assistance for those services, minus the amount transferred to the appropriation

1 account under s. 20.435 ~~(7)~~ (4) (im) for the department's costs of administering this
2 section. Counties shall use moneys distributed under this section to provide services
3 under this section or s. 51.44.

4 **SECTION 45.** 49.45 (6v) (c) of the statutes is amended to read:

5 49.45 **(6v)** (c) If the report specified in par. (b) indicates that utilization of beds
6 by recipients of medical assistance in facilities is less than estimates for that
7 utilization reflected in the intentions of the joint committee on finance, legislature
8 and governor, as expressed by them in the budget determinations, the department
9 shall include a proposal to transfer moneys from the appropriation under s. 20.435
10 (4) (b) to the appropriation under s. 20.435 ~~(7)~~ (4) (bd) for the purpose of increasing
11 funding for the community options program under s. 46.27. The amount proposed
12 for transfer may not reduce the balance in the appropriation account under s. 20.435
13 (4) (b) below an amount necessary to ensure that that appropriation account will end
14 the current fiscal year or the current fiscal biennium with a positive balance. The
15 secretary shall transfer the amount identified under the proposal.

16 **SECTION 46.** 49.472 (5) of the statutes is amended to read:

17 49.472 **(5)** COMMUNITY OPTIONS PARTICIPANTS. From the appropriation under s.
18 20.435 ~~(7)~~ (4) (bd), the department may pay all or a portion of the monthly premium
19 calculated under sub. (4) (a) for an individual who is a participant in the community
20 options program under s. 46.27 (11).

21 **SECTION 47.** 49.849 (6) (b) of the statutes is amended to read:

22 49.849 **(6)** (b) From the appropriation under s. 20.435 ~~(7)~~ (4) (im), with respect
23 to funds collected by the department under sub. (2) related to long-term community
24 support services funded under s. 46.27 (7) paid on behalf of the decedent or the
25 decedent's spouse, the department shall pay claims under sub. (5) and shall spend

1 the remainder of the funds recovered under this section for long-term community
2 support services funded under s. 46.27 (7).

3 **SECTION 48.** 51.22 (3) of the statutes is amended to read:

4 51.22 (3) Whenever an admission is made through the department, the
5 department shall determine the need for inpatient care of the individual to be
6 admitted. Unless a state-operated facility is used, the department may only
7 authorize care in an inpatient facility which is operated by or under a purchase of
8 service contract with a county department under s. 51.42 or 51.437 or an inpatient
9 facility which is under a contractual agreement with the department. Except in the
10 case of state treatment facilities, the department shall reimburse the facility for the
11 actual cost of all authorized care and services from the appropriation under s. 20.435
12 ~~(7)~~ (5) (da). For collections made under the authority of s. 46.10 (16), moneys shall
13 be credited or remitted to the department no later than 60 days after the month in
14 which collections are made. Such collections are also subject to s. 46.036 or special
15 agreement. Collections made by the department under ss. 46.03 (18) and 46.10 shall
16 be deposited in the general fund.

17 **SECTION 49.** 51.42 (1) (b) of the statutes is amended to read:

18 51.42 (1) (b) *County liability.* The county board of supervisors except in
19 Milwaukee County, has the primary responsibility for the well-being, treatment and
20 care of the mentally ill, developmentally disabled, alcoholic and other drug
21 dependent citizens residing within its county and for ensuring that those individuals
22 in need of such emergency services found within its county receive immediate
23 emergency services. In Milwaukee County, the Milwaukee County mental health
24 board has the primary responsibility for the well-being, treatment and care of the
25 mentally ill, alcoholic, and other drug dependent citizens residing within Milwaukee

1 County and for ensuring that those individuals in need of such emergency services
2 found within Milwaukee County receive immediate emergency services. The county
3 board of supervisors of Milwaukee County has the primary responsibility for the
4 well-being, treatment, and care of the developmentally disabled citizens residing
5 within Milwaukee County, except where the responsibility is delegated explicitly
6 under this section to the Milwaukee County mental health board, and for ensuring
7 that developmentally disabled individuals in need of such emergency services found
8 within Milwaukee County receive immediate emergency services. This primary
9 responsibility is limited to the programs, services and resources that the county
10 board of supervisors, or, as applicable, the Milwaukee County mental health board,
11 is reasonably able to provide within the limits of available state and federal funds
12 and of county funds required to be appropriated to match state funds. County
13 liability for care and services purchased through or provided by a county department
14 of community programs established under this section shall be based upon the
15 client's county of residence except for emergency services for which liability shall be
16 placed with the county in which the individual is found. For the purpose of
17 establishing county liability, "emergency services" includes those services provided
18 under the authority of s. 55.05 (4), 2003 stats., or s. 55.06 (11) (a), 2003 stats., or s.
19 51.15, 51.45 (11) (a) or (b) or (12), 55.13, or 55.135 for not more than 72 hours.
20 Nothing in this paragraph prevents recovery of liability under s. 46.10 or any other
21 statute creating liability upon the individual receiving a service or any other
22 designated responsible party, or prevents reimbursement by the department of
23 health services for the actual cost of all care and services from the appropriation
24 under s. 20.435 (7) (5) (da), as provided in s. 51.22 (3).

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

1 (1) MERGER OF DIVISIONS INTO MEDICAID SERVICES DIVISION. Before March 31,
2 2016, the department of health services shall submit to the state budget office in the
3 department of administration a report of the final organization of the merger of the
4 division of the department of health services relating to long-term care and the
5 division of the department of health services relating to health care access and
6 accountability into a single division of the department of health services relating to
7 Medicaid services.

8 **SECTION 9218. Fiscal changes; Health Services.**

9 (1) MERGER OF DIVISIONS INTO MEDICAID SERVICES DIVISION.

10 (a) The unencumbered balances of the appropriations to the department of
11 health services under section 20.435 (7) (g) and (hc) of the statutes, as affected by this
12 act, are transferred to the appropriation account under section 20.435 (4) (h) of the
13 statutes, as affected by this act, on the effective date of this paragraph.

14 (b) The unencumbered balances of the appropriations to the department of
15 health services under section 20.435 (7) (gc) and (h) of the statutes, as affected by this
16 act, are transferred to the appropriation account under section 20.435 (4) (hp) of the
17 statutes, as affected by this act, on the effective date of this paragraph.

18 (c) The unencumbered balance of the appropriation to the department of health
19 services under section 20.435 (7) (gm) of the statutes, as affected by this act, is
20 transferred to the appropriation account under section 20.435 (4) (iL) of the statutes,
21 as affected by this act, on the effective date of this paragraph.

22 (d) The unencumbered balance of the appropriation to the department of health
23 services under section 20.435 (7) (hs) of the statutes, as affected by this act, is
24 transferred to the appropriation account under section 20.435 (4) (hs) of the statutes,
25 as affected by this act, on the effective date of this paragraph.

1 (e) The unencumbered balance of the appropriation to the department of health
2 services under section 20.435 (7) (i) of the statutes, as affected by this act, is
3 transferred to the appropriation account under section 20.435 (4) (i) of the statutes,
4 as affected by this act, on the effective date of this paragraph.

5 (f) The unencumbered balance of the appropriation to the department of health
6 services under section 20.435 (7) (im) of the statutes, as affected by this act, is
7 transferred to the appropriation account under section 20.435 (4) (im) of the statutes,
8 as affected by this act, on the effective date of this paragraph.

9 (g) The unencumbered balance of the appropriation to the department of health
10 services under section 20.435 (7) (jb) of the statutes, as affected by this act, is
11 transferred to the appropriation account under section 20.435 (4) (jc) of the statutes,
12 as affected by this act, on the effective date of this paragraph.

13 (h) The unencumbered balance of the appropriation to the department of
14 health services under section 20.435 (7) (kx) of the statutes, as affected by this act,
15 is transferred to the appropriation account under section 20.435 (4) (kx) of the
16 statutes, as affected by this act, on the effective date of this paragraph.

17 (i) The unencumbered balance of the appropriations to the department of
18 health services under section 20.435 (7) (m) and (mc) of the statutes, as affected by
19 this act, are transferred to the appropriation account under section 20.435 (4) (m) of
20 the statutes, as affected by this act, on the effective date of this paragraph.

21 (j) The unencumbered balance of the appropriation to the department of health
22 services under section 20.435 (7) (n) of the statutes, as affected by this act, is
23 transferred to the appropriation account under section 20.435 (4) (n) of the statutes,
24 as affected by this act, on the effective date of this paragraph.

****NOTE: Under section 20.002 (3m), an amount encumbered before the repeal of an appropriation is still paid from the appropriation that will be repealed. I believe it is necessary to transfer the balances of the program revenue appropriations as I have done in this fiscal change nonstatutory provision.

1

(END)