

**2019 DRAFTING REQUEST**

**Bill**

For: **James Edming (608) 266-7506** Drafter: **swalkenh**  
 By: **Tyler** Secondary Drafters:  
 Date: **11/20/2018** May Contact:

Same as LRB:

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

**Pre Topic:**

No specific pre topic given

**Topic:**

Home and community-based settings transformation grant program

**Instructions:**

See attached

**Drafting History:**

| <u>Vers.</u> | <u>Drafted</u>        | <u>Reviewed</u>       | <u>Submitted</u>     | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|-----------------------|----------------------|-----------------|-----------------|
| /?           | swalkenh<br>1/4/2019  | ccarmich<br>1/4/2019  |                      |                 |                 |
| /P1          | swalkenh<br>2/6/2019  |                       | jmurphy<br>1/4/2019  |                 | State           |
| /P2          | swalkenh<br>2/25/2019 | ccarmich<br>2/6/2019  | lparisi<br>2/6/2019  |                 | State           |
| /P3          | swalkenh<br>4/11/2019 | ccarmich<br>2/25/2019 | lparisi<br>2/25/2019 |                 | State           |
| /P4          | swalkenh              | ccarmich              | lparisi              |                 | State           |

| <u>Vers.</u> | <u>Drafted</u>         | <u>Reviewed</u>        | <u>Submitted</u>      | <u>Jacketed</u>     | <u>Required</u> |
|--------------|------------------------|------------------------|-----------------------|---------------------|-----------------|
| /P5          | swalkenh<br>6/28/2019  | aernsttr<br>5/15/2019  | dwalker<br>5/15/2019  |                     | State           |
| /P6          | swalkenh<br>9/24/2019  | ccarmich<br>7/1/2019   | dwalker<br>7/1/2019   |                     | State           |
| /P7          | swalkenh<br>11/21/2019 | csicilia<br>9/24/2019  | jmurphy<br>9/24/2019  |                     | State           |
| /P8          | swalkenh<br>1/3/2020   | ccarmich<br>11/22/2019 | dwalker<br>11/22/2019 |                     | State           |
| /1           |                        |                        | mbarman<br>1/3/2020   | mbarman<br>1/3/2020 | State           |

FE Sent For: *At Intro*

<END>



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0888/P5  
SWB:cdc&ahe

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

Drafting Instructions  
for changes to /P6

- 1 **AN ACT relating to:** home and community-based services settings  
2 transformation grant program and making an appropriation.

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***Analysis by the Legislative Reference Bureau***

This bill requires the Department of Health Services to establish for the 2019-21 fiscal biennium a home and community-based services settings transformation grant program to distribute awards to provider organizations offering prevocational and day services to come into compliance with the Home and Community-Based Services Settings Final Rule established by the federal Centers for Medicare and Medicaid Services. Under the bill, DHS can transfer the funds specified for the grants between fiscal years such that they can expend the funds until they are gone, even beyond the 2019-21 fiscal biennium. The bill also requires DHS to distribute awards to subject matter experts to assist the grant recipients with following through on efforts to transition from facility-based to community-based employment or day services. Finally, the bill requires DHS to distribute performance-based awards to providers that achieve specific employment or community-based day outcomes for individuals with intellectual or developmental disabilities transitioning from facilities to community-based individual integrated employment or community-based day activities.

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

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

1           **SECTION 1. Nonstatutory provisions.**

2           (1) HOME AND COMMUNITY-BASED SERVICES SETTINGS TRANSFORMATION GRANT  
3 PROGRAM. In the 2019-21 fiscal biennium, the department shall establish a home and  
4 community-based services settings transformation grant program to award grants  
5 in a total amount not to exceed \$5,250,000 to provider organizations offering  
6 prevocational and day services who <sup>Choose to</sup> apply to come into compliance with the Home  
7 and Community-Based Services <sup>^</sup>Settings Final Rule established by the federal  
8 Centers for Medicare and Medicaid Services. The department shall also award no  
9 more than \$1,500,000 to subject matter experts who apply to help grant recipients  
10 under par. (a). Providers may apply for a grant to participate in strategic planning  
11 and technical assistance activities in order to initiate and sustain their  
12 transformation from facility-based to community-based employment or day  
13 services. In distributing the grants under this section, the department shall do all  
14 of the following:

15           (a) Award on a competitive basis a total of \$3,000,000 to facility-based  
16 employment or day services providers who <sup>Choose to</sup> apply, develop a plan, and reach  
17 benchmarks providing grants for up to 30 service providers that submit a proposal  
18 regarding changes the organization will make to its services to be in compliance with  
19 federal rules and to initiate and sustain the organization's transformation from  
20 facility-based <sup>towards</sup> community-based employment or day services. The department  
21 shall distribute awards of at least \$25,000 per recipient up to a maximum of \$150,000  
22 per recipient. Providers may apply for grants that can be implemented over a  
23 24-month period.

24           (b) Distribute \$2,250,000 in performance-based awards for providers that  
25 achieve specific employment or community-based day outcomes for individuals with

1 intellectual or developmental disabilities transitioning from facility-based services  
2 to community-based, individualized community day services, community  
3 prevocational services, and supported employment services. The department will  
4 award performance-based payments under this paragraph to selected providers  
5 that achieve outcomes that the provider identifies and meets that significantly  
6 increase community-based services agency-wide and reduce facility-based services  
7 agency-wide over 2 years. A provider may be eligible for an award under this  
8 paragraph regardless of whether the provider is a grant recipient under par. (a). The  
9 department shall give preference in awarding grant funds to providers with more  
10 aggressive and successful transformation outcomes.

11 (c) Distribute \$1,500,000 through a competitive solicitation for subject matter  
12 experts to provide guidance, consultation, training, and technical assistance to help  
13 grant recipients under par. (a) transform their business and program models  
14 consistent with the provider's activities under par. (g) and develop financial models  
15 for service transformation.

16 (d) Establish criteria for approving and distributing grants under pars. (a) and  
17 (c) and establish criteria, including identifying benchmark outcomes, for approving  
18 and distributing grants under par. (b).

19 (e) Review service provider applications at least every 6 months or until all  
20 available grant moneys have been awarded.

21 (f) Require each applicant for a grant under par. (a) to do all of the following  
22 and submit information regarding each aspect with the provider's grant application,  
23 along with any other information required by the department:

24 1. Develop a workplan and budget with target numbers of program  
25 participants.

1           2. Outline plans to equip staff and increase capacity.

2           3. Identify plans to educate on community-based service options, communicate  
3 programmatic changes to program participants and their families, and facilitate  
4 individualized transition plans.

5           4. Identify plans to reallocate and restructure resources to support increased  
6 individualized community participation by program participants.

7           5. Commit to providing community-based, integrated employment or day  
8 services and to significantly reducing facility-based or sheltered employment or  
9 facility-based day services.

10           (g) Require recipients of a grant under this subsection to do all of the following:

11           1. Implement plans and adhere to commitments made as part of the provider's  
12 grant application under par. (f).

13           2. Participate in required technical assistance activities.

14           3. Set and report on quarterly benchmarks to be achieved over the grant period.

15           4. Report outcomes to the department within 30 days of the end of the  
16 24-month project.

17           5. Implement strategies to address transportation barriers or develop  
18 individualized transportation solutions.

19           **SECTION 2. Fiscal changes.**

20           (1) HOME AND COMMUNITY-BASED SERVICES SETTINGS TRANSFORMATION GRANTS. In  
21 the schedule under s. 20.005 (3) for the appropriation to the department of health  
22 services under s. 20.435 (4) (b), the dollar amount for fiscal year 2019-20 is increased  
23 by \$6,750,000 to award grants under SECTION 1 (1) of this act. Notwithstanding ss.  
24 20.001 (3) (b) and 20.002 (1), the department of health services may transfer between  
25 fiscal years funds under this subsection for the purposes specified in this subsection.



**Add as a new provision in the bill**

Nothing in this section shall be construed to limit access to or choice of allowable services, including prevocational services provided in accordance with 42 CFR parts 440 and 441, in the family care program under ss. 46.2805 to 46.2895, the Family Care Partnership program, and the self-directed services option, as defined in s. 46.2899 (1).



**2019 DRAFTING REQUEST****Bill**

For: **James Edming (608) 266-7506** Drafter: **swalkenh**  
 By: **Tyler** Secondary Drafters:  
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Submit via email: **YES**  
 Requester's email: **Rep.Edming@legis.wisconsin.gov**  
 Carbon copy (CC) to: **sarah.walkenhorstbarber@legis.wisconsin.gov**  
**tamara.dodge@legis.wisconsin.gov**

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| /P1          | swalkenh<br>2/6/2019  |                       | jmurphy<br>1/4/2019  |                 | State           |
| /P2          | swalkenh<br>2/25/2019 | ccarmich<br>2/6/2019  | lparisi<br>2/6/2019  |                 | State           |
| /P3          | swalkenh<br>4/11/2019 | ccarmich<br>2/25/2019 | lparisi<br>2/25/2019 |                 | State           |
| /P4          | swalkenh              | ccarmich              | lparisi              |                 | State           |

|              |                |                 |                  |                 |                 |
|--------------|----------------|-----------------|------------------|-----------------|-----------------|
| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|              | 5/14/2019      | 4/12/2019       | 4/12/2019        |                 |                 |
| /P5          |                | aernstr         | dwalker          |                 | State           |
|              |                | 5/15/2019       | 5/15/2019        |                 |                 |

FE Sent For:

<END>

## Walkenhorst Barber, Sarah

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**From:** Dodge, Tamara  
**Sent:** Tuesday, November 20, 2018 9:04 AM  
**To:** Walkenhorst Barber, Sarah  
**Subject:** FW: Bill Draft Request  
**Attachments:** Survival Coalition HCBS Provider Transformation Fund proposal.docx

Do you want to take this one? It is a health draft.

Tami

**Tamara J. Dodge**  
Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
**(608) 504 - 5808**  
[tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)

*Please note my new direct phone number (as of June 13, 2018).*

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**From:** Longsine, Tyler  
**Sent:** Friday, November 16, 2018 4:44 PM  
**To:** Duchek, Michael <[Michael.Duchek@legis.wisconsin.gov](mailto:Michael.Duchek@legis.wisconsin.gov)>; Dodge, Tamara <[Tamara.Dodge@legis.wisconsin.gov](mailto:Tamara.Dodge@legis.wisconsin.gov)>  
**Subject:** Bill Draft Request

Mike and Tami,

Rep. Edming is looking for a bill draft based on the attached document. I am not sure if either of you are the correct drafter for this request or not. This idea kind of builds upon the Employment First Bill that you both drafted for our office last session which is why I reached out to you. Let me know if you need any additional information to create a P-draft or if I need to reach out to different drafter.

Warm regards,

***Tyler Longsine***  
Research Assistant  
Office of Representative James W. Edming  
Wisconsin's 87<sup>th</sup> Assembly District  
(608) 266-7506  
[Tyler.Longsine@legis.wisconsin.gov](mailto:Tyler.Longsine@legis.wisconsin.gov)  
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# Survival Coalition

## Wisconsin's Home and Community Based Settings Transformation Proposal

Wisconsin will offer a one-time home and community-based settings Transformation Fund of \$6.75 million from which providers offering pre-vocational and day services can apply for a one-time award of between \$25,000 and \$150,000 to come into compliance with the Home and Community-Based Settings Final Rule. The federal Centers for Medicare and Medicaid Services (CMS) established the HCBS Final Rule in March 2014. Compliance with these new rules was originally required by March 2019, but this deadline has been extended to March 2022.

The Transformation Fund recognizes the scope of changes required of providers to be in full compliance with the HCBS Rule and addresses the early results of Wisconsin Workforce Innovation and Opportunity Act surveys and other data showing the considerable number of people with disabilities currently in facility-based employment settings who desire community employment.

The State of Wisconsin is making the Transformation Fund available for up to 30 service providers that submit proposals regarding changes they will make to their services to be in compliance with federal rules and to initiate and sustain their transformation from facility-based to community-based employment and day services. Providers can apply for grants that can be implemented over a 24-month period.

The Transformation Fund includes three key elements:

- \$3 million in transformation grants for selected facility-based day and employment services providers.
- \$2.25 million to be used as performance-based payments for providers that achieve specific employment or community-based day outcomes for individuals with intellectual or developmental disabilities (I/DD) transitioning from facilities to community-based, individual integrated employment or community-based day activities.
- \$1.5 million through a competitive solicitation for subject matter experts to provide guidance, consultation, training, and technical assistance to help the selected service provider organizations transform their business and program model.

Interested providers will be selected via an ongoing competitive application process.

DHS will review service provider applications every six months or until all available funding for transformation grants has been awarded. The Fund will support up to 30 service provider agencies.

The selected providers will receive a minimum award of \$25,000 and up to \$150,000 to participate in strategic planning and technical assistance activities in order to initiate and sustain their transformation from facility-based to community-based employment or day services.

Grantee payments will be aligned with individual progress toward identified outcomes.

Performance-based payments will be awarded to select providers as outcomes are sustained.

**Grantees are required to:**

- Develop a workplan and budget with target numbers of program participants.
- Participate in required technical assistance activities.
- Outline plans to equip staff and increase capacity.
- Identify plans to communicate programmatic changes to program participants and their families.
- Identify plans to reallocate and restructure resources to support increased individualized community participation by program participants.
- Set quarterly benchmarks to be achieved over the grant period.
- Report outcomes within 30 days of end of 24-month project.
- Commit to providing community-based, integrated employment or day services and to ending facility-based or sheltered employment or facility-based day services.

Survival Co-Chairs:

Lisa Pugh, [pugh@thearc.org](mailto:pugh@thearc.org); (608) 422-4250

Beth Swedeen, [beth.swedeen@wisconsin.gov](mailto:beth.swedeen@wisconsin.gov); (608) 266-1166

Kristin M. Kerschensteiner, [kitk@drwi.org](mailto:kitk@drwi.org); (608) 267-0214



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0888(2)

SWB: [initials] cde  
/PL

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

IN 1/4  
Requested today if possible

SLAV  
X-ref  
S/C

1 AN ACT <sup>gc</sup> relating to: home and community-based <sup>Services</sup> settings transformation  
2 grant program. <sup>and making an appropriation</sup>

**Analysis by the Legislative Reference Bureau** <sup>Services</sup>

This bill requires the department of health services to establish for the 2019-21 fiscal biennium a home and community-based settings transformation grant program to distribute one-time awards of between \$25,000 and \$150,000 to provider organizations offering pre-vocational and day services to come into compliance with the Home and Community-Based Settings Final Rule established by the federal Centers for Medicare and Medicaid Services. <sup>Services</sup>

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

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

3 SECTION 1. 20.435 (4) <sup>✓</sup> (b) of the statutes is amended to read:  
4 20.435 (4) (b) *Medical Assistance program benefits*. Biennially, the amounts  
5 in the schedule to provide a portion of the state share of Medical Assistance program  
6 benefits administered under subch. IV of ch. 49, for a portion of the Badger Care

1 health care program under s. 49.665, to provide a portion of the Medical Assistance  
 2 program benefits administered under subch. IV of ch. 49 that are not also provided  
 3 under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion  
 4 of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund  
 5 services provided by resource centers under s. 46.283, for services under the family  
 6 care benefit under s. 46.284 (5), for assisting victims of diseases, as provided in ss.  
 7 49.68, 49.683, and 49.685, for distributing grants under s. 146.64, for distributing  
 8 grants under 2019 Wisconsin Act ... (this Act), section 3 (1),<sup>a.r.</sup> and for reduction of any  
 9 operating deficits as specified in 2005 Wisconsin Act 15, section 3. Notwithstanding  
 10 s. 20.002 (1), the department may transfer from this appropriation account to the  
 11 appropriation account under sub. (5) (kc) funds in the amount of and for the purposes  
 12 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the  
 13 department may credit or deposit into this appropriation account and may transfer  
 14 between fiscal years funds that it transfers from the appropriation account under  
 15 sub. (5) (kc) for the purposes specified in s. 46.485 (3r).

**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; 2015 a. 55, 153, 172, 195, 265, 274; 2017 a. 12, 28; 2017 a. 59 ss. 369 to 392, 451; 2017 a. 96, 184, 186, 250, 261, 266, 296.

16 **SECTION 2.** 20.435 (4) (b) of the statutes, as affected by 2019 Wisconsin Act ....

17 (this act), is amended to read:

18 20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts  
 19 in the schedule to provide a portion of the state share of Medical Assistance program  
 20 benefits administered under subch. IV of ch. 49, for a portion of the Badger Care  
 21 health care program under s. 49.665, to provide a portion of the Medical Assistance

1 program benefits administered under subch. IV of ch. 49 that are not also provided  
 2 under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion  
 3 of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund  
 4 services provided by resource centers under s. 46.283, for services under the family  
 5 care benefit under s. 46.284 (5), for assisting victims of diseases, as provided in ss.  
 6 49.68, 49.683, and 49.685, for distributing grants under s. 146.64, ~~for distributing~~  
 7 ~~grants under 2019 Wisconsin Act .... (this Act),~~ <sup>A.C.</sup> section 3 (1), and for reduction of any  
 8 operating deficits as specified in 2005 Wisconsin Act 15, section 3. Notwithstanding  
 9 s. 20.002 (1), the department may transfer from this appropriation account to the  
 10 appropriation account under sub. (5) (kc) funds in the amount of and for the purposes  
 11 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the  
 12 department may credit or deposit into this appropriation account and may transfer  
 13 between fiscal years funds that it transfers from the appropriation account under  
 14 sub. (5) (kc) for the purposes specified in s. 46.485 (3r).

### 15 SECTION 3. Nonstatutory provisions.

16 (1) HOME AND COMMUNITY-BASED <sup>SERVICES</sup> SETTINGS TRANSFORMATION GRANT PROGRAM. In  
 17 the 2019-21 fiscal biennium, the department shall establish a home and  
 18 community-based <sup>Services</sup> settings transformation grant program to award grants in a total  
 19 amount not to exceed \$6,750,000 to provider organizations offering pre<sup>Services</sup>vocational  
 20 and day services who apply to come into compliance with the Home and  
 21 Community-Based <sup>Services</sup> Settings Final Rule established by the federal Centers for  
 22 Medicare and Medicaid Services. Providers may apply for a one<sup>Services</sup>time grant to  
 23 participate in strategic planning and technical assistance activities in order to  
 24 initiate and sustain their transformation from facility-based to community-based  
 25 employment or day services. The department shall distribute awards of at least



1 \$25,000 per provider up to a maximum of \$150,000 per provider. In distributing the  
2 grants under this section, the department shall do all of the following:

3 (a) Award on a competitive basis a total of \$3,000,000<sup>✓</sup> to facility-based day and  
4 employment service providers who apply, providing grants for up to 30 service  
5 providers that submit a proposal regarding changes the organization will make to  
6 its services to be in compliance with federal rules and to initiate and sustain the  
7 organization's transformation from facility-based to community-based employment  
8 and day services. Providers may apply for grants that can be implemented over a  
9 24-month period.

10 (b) Distribute \$2,250,000<sup>✓</sup> in performance-based awards for providers that  
11 achieve specific employment or community-based day outcomes for individuals with  
12 intellectual or developmental disabilities transitioning from facilities to  
13 community-based, individual integrated employment or community-based day  
14 activities. The department will award performance-based payments under this  
15 paragraph to selected providers as identified outcomes are achieved.

\*\*\*\*NOTE: Are the awards described under par. (b) to be given based on a competitive application process as well? Are organizations eligible to receive a performance-based award only if they receive a grant under par. (a) or are other organizations eligible? We may need to provide some additional clarification regarding award distribution.

16 (c) Distribute \$1,500,000<sup>✓</sup> through a competitive solicitation for subject matter  
17 experts to provide guidance, consultation, training, and technical assistance to help  
18 service provider organizations transform their business and program models.

\*\*\*\*NOTE: Will the subject matter experts assist only grant recipient organizations? Will the provider organizations be applying for the funds to get the expert training, etc., or is the intent to have the department select experts? Are awards under par. (c) intended to be entirely separate from the maximum award amounts for providers?

19 (d) Review service provider applications at least every ~~six~~<sup>6</sup> months or until all  
20 available grant moneys have been awarded.

\*\*\*\*NOTE: In this draft, I have indicated the department must review applications *at least* every six months or until all grant funds have been awarded. Please let me know if you would like to change that language.

1 (e) Require recipients of a grant under this subsection to do all of the following:

2 1. Develop a workplan and budget with target numbers of program  
3 participants.

4 2. Participate in required technical assistance activities.

5 3. Outline plans to equip staff and increase capacity.

6 4. Identify plans to communicate programmatic changes to program  
7 participants and their families.

8 5. Identify plans to reallocate and restructure resources to support increased  
9 individualized community participation by program participants.

10 6. Set quarterly benchmarks to be achieved over the grant period.

11 7. Report outcomes to the department within 30 days of the end of the  
12 24-month project.

13 8. Commit to providing community-based, integrated employment or day  
14 services and to ending facility-based or sheltered employment or facility-based day  
15 services.

\*\*\*\*NOTE: The instructions indicated that the requirements under par. (e) apply to grant recipients. Please let me know if the intent is different (for example, if you want applicant organizations to provide some of this information in order to be eligible for an award under the program).

16 **SECTION 4. Fiscal changes.**

17 (1) HOME AND COMMUNITY-BASED SERVICES SETTINGS TRANSFORMATION GRANTS. In the  
18 schedule under s. 20.005 (3) for the appropriation to the department of health  
19 services under s. 20.435 (4) (b), the dollar amount for fiscal year 2019-20 is increased  
20 by \$6,750,000 <sup>a.c.</sup> to award grants under SECTION 3 of this act.

\*\*\*\*NOTE: In this version of the draft, I have included a temporary increase to the 20.435 (4) (b) appropriation to allow for these grants during the 2019-2021 biennium.

There are other options, such as creating an entirely new appropriation. Please let me know if you would like to make changes.

1       **SECTION 5. Effective dates.** This act takes effect on the day after publication,  
2 or on the 2nd day after publication of the 2019 biennial budget act, whichever is later,  
3 except as follows:

4           (1) The treatment of ss. 20.435 (4) (b) (by SECTION 2) takes effect on July 1, 2021.  
5

(END)

## Walkenhorst Barber, Sarah

---

**From:** Longsine, Tyler  
**Sent:** Monday, January 28, 2019 4:17 PM  
**To:** Walkenhorst Barber, Sarah  
**Subject:** Responses to Drafters Notes in LRB-0888/P1

Sarah,

Here are some answers to the drafters notes included in LRB-0888/P1:

- ✓ • Page 4 – Line 13 Note 1: Performance-based awards will not be given based on a competitive application, but will be based on criteria for grantees set by the Department for this grant program. Non-grantee providers who meet certain outcomes as defined by the Department may also be eligible for performance-based awards.
- ✓ • Page 4 – Line 14 Note 2: Yes, the subject matter experts will only assist grant recipients under this program. No, the provider orgs will not need to apply for funds to get the training – it is part of the grant program. DHS or another entity will select the subject matter experts through a separate competitive solicitation process. Yes, these awards are entirely separate from the grant program solicitation targeted at facility-based day and employment service providers. The Department would need to set criteria for the SME solicitation to provide the type of technical assistance required to help grantees meet their workplan goals, benchmarks and ultimate commitment to ending facility-based or sheltered employment or facility-based day services as cited in (e) 1-8.
- ✓ • Page 4 bottom Note 3: Yes to this approach of reviewing applications every 6 months. No change necessary.
- ✓ • Page 5 – Line 15 Note 4:  
Grant applications should include (e) 1) 3) 4) 5) & 8) and are awarded based through a competitive process based upon scoring developed by the Department. Then, each selected grantee should be required to adhere to (e) 1-8 as part of the grant program.
- ✓ • Page 5 – line 11: In section (e) 1-8, please add a new item before number 8: “Implement strategies to address transportation barriers or develop individualized transportation solutions.”
- ✓ • Page 5 – line 10: Change #6 to: "Set and report on quarterly benchmarks..."
- ✓ • Page 5 – bottom note 5: We are asking for a temporary fund: not permanent.

***Tyler Longsine***

Research Assistant

Office of Representative James W. Edming

Wisconsin's 87<sup>th</sup> Assembly District

(608) 266-7506

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State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0888/P1  
SWB:cdc

1PZ  
RMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

IN  
2-16  
Requested today  
if possible  
or tomorrow 4/9 a.m.  
INSERT

1 AN ACT to amend 20.435 (4) (b) of the statutes; relating to: home and  
2 community-based services settings transformation grant program and making  
3 an appropriation.

*Analysis by the Legislative Reference Bureau*

This bill requires the Department of Health Services to establish for the 2019-21 fiscal biennium a home and community-based services settings transformation grant program to distribute onetime awards of between \$25,000 and \$150,000 to provider organizations offering pre-vocational and day services to come into compliance with the Home and Community-Based Services Settings Final Rule established by the federal Centers for Medicare and Medicaid Services.

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

INS  
ANALYSIS

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

4 SECTION 1. 20.435 (4) (b) of the statutes is amended to read:  
5 20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts  
6 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  
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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, for distributing  
9 grants under 2019 Wisconsin Act ... (this act), section 3 (1), and for reduction of any  
10 operating deficits as specified in 2005 Wisconsin Act 15, section 3. Notwithstanding  
11 s. 20.002 (1), the department may transfer from this appropriation account to the  
12 appropriation account under sub. (5) (kc) funds in the amount of and for the purposes  
13 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the  
14 department may credit or deposit into this appropriation account and may transfer  
15 between fiscal years funds that it transfers from the appropriation account under  
16 sub. (5) (kc) for the purposes specified in s. 46.485 (3r).

17 **SECTION 2.** 20.435 (4) (b) of the statutes, as affected by 2019 Wisconsin Act ...  
18 (this act), is amended to read:

19 20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts  
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 11 sub. (5) (kc) for the purposes specified in s. 46.485 (3r).

**SECTION 3. Nonstatutory provisions.**

13 (1) HOME AND COMMUNITY-BASED SERVICES SETTINGS TRANSFORMATION GRANT  
 14 PROGRAM. In the 2019-21 fiscal biennium, the department shall establish a home and  
 15 community-based services settings transformation grant program to award grants  
 16 in a total amount not to exceed \$6,750,000 to provider organizations offering  
 17 prevocational and day services who apply to come into compliance with the Home  
 18 and Community-Based Services Settings Final Rule established by the federal  
 19 Centers for Medicare and Medicaid Services. Providers may apply for a onetime  
 20 <sup>initial</sup> grant to participate in strategic planning and technical assistance activities in order  
 21 to initiate and sustain their transformation from facility-based to community-based  
 22 employment or day services. The department shall distribute awards of at least  
 23 \$25,000 per <sup>recipient</sup> provider up to a maximum of \$150,000 per <sup>recipient</sup> provider. In distributing the  
 24 grants under this section, the department shall do all of the following:

\* Do you want the monetary <sup>range</sup> limits to apply to (a), (b), and (c),  
 or are the limits only intended to apply to (a)? As drafted in this version,  
 I think the limits ~~only~~ apply to all <sup>of</sup> award types.  
 U. can



1 (a) Award on a competitive basis a total of \$3,000,000 to facility-based day and  
 2 employment <sup>or day</sup> <sup>S</sup> service providers who apply, providing grants for up to 30 service  
 3 providers that submit a proposal regarding changes the organization will make to  
 4 its services to be in compliance with federal rules and to initiate and sustain the  
 5 organization's transformation from facility-based to community-based employment  
 6 and day services. Providers may apply for grants that can be implemented over a  
 7 24-month period.

8 (b) Distribute \$2,250,000 in performance-based awards for providers that  
 9 achieve specific employment or community-based day outcomes for individuals with  
 10 intellectual or developmental disabilities transitioning from facilities to  
 11 community-based, individual integrated employment or community-based day  
 12 activities. The department will award performance-based payments under this  
 13 paragraph to selected providers as identified outcomes are achieved <sup>that achieve outcomes identified by the department</sup>

*No it*  
 \*\*\*\*NOTE: Are the awards described under par. (b) to be given based on a competitive application process as well? Are organizations eligible to receive a performance-based award only if they receive a grant under par. (a) or are other organizations eligible? We may need to provide some additional clarification regarding award distribution.

*A provider may be eligible for an award under this paragraph regardless of whether the provider is a grant recipient under par. (a).*  
 14 (c) Distribute \$1,500,000 through a competitive solicitation for subject matter

15 experts to provide guidance, consultation, training, and technical assistance to help  
 16 service provider organizations <sup>grant recipients under par. (a)</sup> transform their business and program models <sup>consistent with the providers' activities under par. (a).</sup>

*INS 4-17*  
 \*\*\*\*NOTE: Will the subject matter experts assist only grant recipient organizations? Will the provider organizations be applying for the funds to get the expert training, etc., or is the intent to have the department select experts? Are awards under par. (c) intended to be entirely separate from the maximum award amounts for providers?

17 (d) Review service provider applications at least every 6 months or until all  
 18 available grant moneys have been awarded.

\*\*\*\*NOTE: In this draft, I have indicated the department must review applications at least every six months or until all grant funds have been awarded. Please let me know if you would like to change that language.

INS  
5-1

1

(e) Require recipients of a grant under this subsection to do all of the following:

INS  
5-2

2

1. Develop a workplan and budget with target numbers of program participants.

3

4

2. Participate in required technical assistance activities.

5

3. Outline plans to equip staff and increase capacity.

6

4. Identify plans to communicate programmatic changes to program participants and their families.

7

8

5. Identify plans to reallocate and restructure resources to support increased individualized community participation by program participants.

9

10

6. Set quarterly benchmarks to be achieved over the grant period.

11

7. Report outcomes to the department within 30 days of the end of the 24-month project.

12

INS  
5-12

13

8. Commit to providing community-based, integrated employment or day services and to ending facility-based or sheltered employment or facility-based day services.

14

15

\*\*\*\*NOTE: The instructions indicated that the requirements under par. (e) apply to grant recipients. Please let me know if the intent is different (for example, if you want applicant organizations to provide some of this information in order to be eligible for an award under the program).

16

**SECTION 4. Fiscal changes.**

17

(1) HOME AND COMMUNITY-BASED SERVICES SETTINGS TRANSFORMATION GRANTS. In the schedule under s. 20.005 (3) for the appropriation to the department of health services under s. 20.435 (4) (b), the dollar amount for fiscal year 2019-20 is increased by \$6,750,000 to award grants under SECTION 3 of this act.

18

19

20

\*\*\*\*NOTE: In this version of the draft, I have included a temporary increase to the 20.435 (4) (b) appropriation to allow for these grants during the 2019-2021 biennium. There are other options, such as creating an entirely new appropriation. Please let me know if you would like to make changes.



**INSERT ANALYSIS**

The bill also requires DHS to distribute awards to subject matter experts to assist the grant recipients with following through on efforts to transition from facility-based to community-based employment or day services. Finally, the bill requires DHS to distribute performance-based awards to providers that achieve specific employment or community-based day outcomes for individuals with intellectual or developmental disabilities transitioning from facilities to community-based individual integrated employment or community-based day activities.

**(END INSERT ANALYSIS)**

**INSERT 4-17**

1 (d) Establish criteria for approving and distributing grants under pars. (a) and  
2 (c) and establish criteria, including identifying benchmark outcomes, for approving  
3 and distributing grants under par. (b).

**(END INSERT 4-17)**

**(INSERT 5-1)**

4 (f) Require each applicant for a grant under par. (a) to do all of the following  
5 and submit information regarding each aspect with the provider's grant application,  
6 along with any other information required by the department:  
7 1. Develop a workplan and budget with target numbers of program  
8 participants.  
9 2. Outline plans to equip staff and increase capacity.  
10 3. Identify plans to communicate programmatic changes to program  
11 participants and their families.  
12 4. Identify plans to reallocate and restructure resources to support increased  
13 individualized community participation by program participants.

1           5. Commit to providing community-based, integrated employment or day  
2 services and to ending facility-based or sheltered employment or facility-based day  
3 services.

**(END INSERT 5-1)**

**INSERT 5-2**

4           1. Implement plans and adhere to commitments made as part of the provider's  
5 grant application under par. (f).

**(END INSERT 5-2)**

**INSERT 5-12**

6           5. Implement strategies to address transportation barriers or develop  
7 individualized transportation solutions.

**(END INSERT 5-12)**

## Walkenhorst Barber, Sarah

---

**From:** Longsine, Tyler  
**Sent:** Thursday, February 07, 2019 4:33 PM  
**To:** Walkenhorst Barber, Sarah  
**Subject:** Requested Changes to LRB 0888/P2

Sarah,

Please see the requested changes/comments on LRB 0888/P2 below. If some of the comments do not make sense when drafting please let me know.

Warm regards,

*Tyler Longsine*

Research Assistant

Office of Representative James W. Edming

Wisconsin's 87<sup>th</sup> Assembly District

(608) 266-7506

[Tyler.Longsine@legis.wisconsin.gov](mailto:Tyler.Longsine@legis.wisconsin.gov)

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One thing that is confusing is the difference between (and need to separate) the provider grantees (\$3,000,000) and their awards/performance payments (\$2,250,000) from the technical assistance award (\$1,500,000).

Now, because they are lumped under section (1) of the bill as connected items (a), (b) and (c), it appears as if the technical assistance would also be awarded to a provider. That is not the intent.

- **Page 1 line 17-22:**

✓ “the department shall establish a home and community-based services settings transformation grant program to award grants and performance-based awards in a total amount not to exceed \$5,250,000 to provider organizations offering prevocational and day services who apply to come into compliance with the Home and Community-Based Services Settings Final Rule established by the federal Centers for Medicare and Medicaid Services. The Department shall also award no more than \$1,500,000 to subject matter experts who apply to help grant recipients under par. (a)”

Other suggested changes to the P2 draft:

- ✓ • **Page 3 lines 22-23:** we recommend that the words “onetime initial” be deleted. This term could be confusing and could limit the Department’s discretion to provide a follow-up award to a provider to sustain a particular effort within the grant period. The fund itself is set to expire/be “one-time” - so we have accomplished the time-limited overall goal of the project. Also, if for some reason the

legislature decides to continue funding this initiative in the future, we may want to leave room for flexibility that a provider could receive a second grant to complete their transformation.

✓ **Page 4 drafter's note:** \*\*\*\*NOTE: Do you want the monetary range limits to apply to (a), (b), and (c), or are the limits only intended to apply to (a)? As drafted in this version, I think the limits apply to all three award types. The monetary range limits should apply ONLY to (a)



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0888/P2  
SWB:cdc

1P3  
RMK

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1/11 2/25  
Requested today  
PLS

1 **AN ACT to amend** 20.435 (4) (b) of the statutes; **relating to:** home and  
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This bill requires the Department of Health Services to establish for the 2019-21 fiscal biennium a home and community-based services settings transformation grant program to distribute onetime awards to provider organizations offering prevocational and day services to come into compliance with the Home and Community-Based Services Settings Final Rule established by the federal Centers for Medicare and Medicaid Services. The bill also requires DHS to distribute awards to subject matter experts to assist the grant recipients with following through on efforts to transition from facility-based to community-based employment or day services. Finally, the bill requires DHS to distribute performance-based awards to providers that achieve specific employment or community-based day outcomes for individuals with intellectual or developmental disabilities transitioning from facilities to community-based individual integrated employment or community-based day activities.

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

---

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

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16 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the  
17 department may credit or deposit into this appropriation account and may transfer  
18 between fiscal years funds that it transfers from the appropriation account under  
19 sub. (5) (kc) for the purposes specified in s. 46.485 (3r).

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**SECTION 3. Nonstatutory provisions.**

15  
16 (1) HOME AND COMMUNITY-BASED SERVICES SETTINGS TRANSFORMATION GRANT  
17 PROGRAM. In the 2019-21 fiscal biennium, the department shall establish a home and  
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23 initial grant to participate in strategic planning and technical assistance activities  
24 in order to initiate and sustain their transformation from facility-based to  
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1 awards of at least \$25,000 per recipient up to a maximum of \$150,000 per recipient.

2 In distributing the grants under this section, the department shall do all of the  
3 following:

\*\*\*\*NOTE: Do you want the monetary range limits to apply to (a), (b), and (c), or are the limits only intended to apply to (a)? As drafted in this version, I think the limits apply to all three award types.

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6 service providers that submit a proposal regarding changes the organization will  
7 make to its services to be in compliance with federal rules and to initiate and sustain  
8 the organization's transformation from facility-based to community-based  
9 employment or day services.

10 Providers may apply for grants that can be implemented over a 24-month period. *The department shall distribute awards of at least \$25,000 per recipient up to a maximum of \$150,000 per recipient.*

11 (b) Distribute \$2,250,000 in performance-based awards for providers that  
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13 intellectual or developmental disabilities transitioning from facilities to  
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17 A provider may be eligible for an award under this paragraph regardless of whether  
18 the provider is a grant recipient under par. (a).

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21 grant recipients under par. (a) transform their business and program models  
22 consistent with the provider's activities under par. (g).

1 (d) Establish criteria for approving and distributing grants under pars. (a) and  
2 (c) and establish criteria, including identifying benchmark outcomes, for approving  
3 and distributing grants under par. (b).

4 (e) Review service provider applications at least every 6 months or until all  
5 available grant moneys have been awarded.

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13 participants and their families.

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15 individualized community participation by program participants.

16 5. Commit to providing community-based, integrated employment or day  
17 services and to ending facility-based or sheltered employment or facility-based day  
18 services.

19 (g) Require recipients of a grant under this subsection to do all of the following:

20 1. Implement plans and adhere to commitments made as part of the provider's  
21 grant application under par. (f).

22 2. Participate in required technical assistance activities.

23 3. Set and report on quarterly benchmarks to be achieved over the grant period.

24 4. Report outcomes to the department within 30 days of the end of the  
25 24-month project.



**Walkenhorst Barber, Sarah**

---

**From:** Longsine, Tyler  
**Sent:** Tuesday, April 02, 2019 6:33 PM  
**To:** Walkenhorst Barber, Sarah  
**Subject:** RE: Requested Changes to LRB-0888  
**Attachments:** Requested Changes to LRB-0888-P3 (2).docx  
  
**Importance:** High

Sarah,

I just realized that I did not send the correct document to you last week when requesting changes to LRB 0888. Attached is the correct document with our requested changes. Please contact me with any questions

*Tyler Longsine*  
Research Assistant  
Office of Representative James W. Edming  
Wisconsin's 87<sup>th</sup> Assembly District  
(608) 266-7506  
[Tyler.Longsine@legis.wisconsin.gov](mailto:Tyler.Longsine@legis.wisconsin.gov)  
[www.repedming.com](http://www.repedming.com)



---

**From:** Longsine, Tyler  
**Sent:** Tuesday, March 26, 2019 4:58 PM  
**To:** Walkenhorst Barber, Sarah <Sarah.WalkenhorstBarber@legis.wisconsin.gov>  
**Subject:** Requested Changes to LRB-0888

Sarah,

Per my voicemail message to you please see the attached. Also I have a couple of questions for you before you start the new draft. Please give me a call to discuss.

Warm regards,

*Tyler Longsine*  
Research Assistant  
Office of Representative James W. Edming  
Wisconsin's 87<sup>th</sup> Assembly District  
(608) 266-7506  
[Tyler.Longsine@legis.wisconsin.gov](mailto:Tyler.Longsine@legis.wisconsin.gov)

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State of Wisconsin  
2019-2020 LEGISLATURE

LRB-0888/P3  
SWB:cdc

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

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20 SECTION 2. 20.435 (4) (b) of the statutes, as affected by 2019 Wisconsin Act ....  
21 (this act), 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  
24 benefits administered under subch. IV of ch. 49, for a portion of the Badger Care  
25 health care program under s. 49.665, to provide a portion of the Medical Assistance

1 program benefits administered under subch. IV of ch. 49 that are not also provided  
2 under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion  
3 of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund  
4 services provided by resource centers under s. 46.283, for services under the family  
5 care benefit under s. 46.284 (5), for assisting victims of diseases, as provided in ss.  
6 49.68, 49.683, and 49.685, for distributing grants under s. 146.64, ~~for distributing~~  
7 ~~grants under 2019 Wisconsin Act ... (this act), section 3 (1), and for reduction of any~~  
8 operating deficits as specified in 2005 Wisconsin Act 15, section 3. Notwithstanding  
9 s. 20.002 (1), the department may transfer from this appropriation account to the  
10 appropriation account under sub. (5) (kc) funds in the amount of and for the purposes  
11 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the  
12 department may credit or deposit into this appropriation account and may transfer  
13 between fiscal years funds that it transfers from the appropriation account under  
14 sub. (5) (kc) for the purposes specified in s. 46.485 (3r).

15 **SECTION 3. Nonstatutory provisions.**

16 (1) HOME AND COMMUNITY-BASED SERVICES SETTINGS TRANSFORMATION GRANT  
17 PROGRAM. In the 2019-21 fiscal biennium, the department shall establish a home and  
18 community-based services settings transformation grant program to award grants  
19 in a total amount not to exceed \$5,250,000 to provider organizations offering  
20 prevocational and day services who apply to come into compliance with the Home  
21 and Community-Based Services Settings Final Rule established by the federal  
22 Centers for Medicare and Medicaid Services. The department shall also award no  
23 more than \$1,500,000 to subject matter experts who apply to help grant recipients  
24 under par. (a). Providers may apply for a grant to participate in strategic planning  
25 and technical assistance activities in order to initiate and sustain their

SECTION 3

1 transformation from facility-based to community-based employment or day  
2 services. In distributing the grants under this section, the department shall do all  
3 of the following:

4 (a) Award on a competitive basis a total of \$3,000,000 to facility-based  
5 employment or day services providers who apply, ~~develop a plan and reach~~  
6 benchmarks, providing grants for up to 30  
7 service providers that submit a proposal regarding changes the organization will  
8 make to its services to be in compliance with federal rules and to initiate and sustain  
9 the organization's transformation from facility-based to community-based  
10 employment or day services. The department shall distribute awards of at least  
11 \$25,000 per recipient up to a maximum of \$150,000 per recipient. Providers may  
12 apply for grants that can be implemented over a 24-month period.

13 (b) Distribute \$2,250,000 in performance-based awards for providers that  
14 achieve specific employment or community-based day outcomes for individuals with  
15 intellectual or developmental disabilities transitioning from facility-based  
16 services to community-based, individualized community day services, community  
17 prevocational services, and Supported Employment services. The department will  
18 award performance-based payments under this paragraph to selected providers  
19 that achieve outcomes that the provider identifies and meets which significantly  
20 increase community-based services agency-wide and reduce facility-based services  
21 agency wide over two years. ~~by the Department, which must include increasing~~  
22 ~~community-based services agency wide by at least fifty percent over two years and~~  
23 ~~reducing facility-based services agency wide by at least \_\_\_\_\_ percent over two~~  
24 ~~years.~~ A provider may be eligible for an award under this paragraph regardless of  
25 whether the provider is a grant recipient under par. (a). ~~Providers with more~~  
26 ~~aggressive and successful transformation outcomes will be more likely to be~~  
27 ~~awarded grand funds.~~

28 (c) Distribute \$1,500,000 through a competitive solicitation for subject matter  
29 experts to provide guidance, consultation, training, and technical assistance to help

✓  
Commented [SW1]: Original version read "providers who apply, providing grants for up to 30....) I added "develop a plan and reach benchmarks"

✓

25 grant recipients under par. (a) transform their business and program models  
26 consistent with the provider's activities under par. (g).

1 (d) Establish criteria for approving and distributing grants under pars. (a) and  
2 (c) and establish criteria, including identifying benchmark outcomes, for approving  
3 and distributing grants under par. (b).

4 (e) Review service provider applications at least every 6 months or until all  
5 available grant moneys have been awarded.

6 (f) Require each applicant for a grant under par. (a) to do all of the following  
7 and submit information regarding each aspect with the provider's grant application,  
8 along with any other information required by the department:

9 1. Develop a workplan and budget with target numbers of program  
10 participants.

11 2. Outline plans to equip staff and increase capacity.

12 3. Identify plans to educate on community-based  
13 service options, communicate programmatic changes to program  
participants and their families, and facilitate individualized transition plans.

14 4. Identify plans to reallocate and restructure resources to support increased  
15 individualized community participation by program participants.

16 5. Commit to providing community-based, integrated employment or day  
17 services and to significantly reducing facility-based or sheltered employment or  
18 facility-based day services.

19 (g) Require recipients of a grant under this subsection to do all of the following:

20 1. Implement plans and adhere to commitments made as part of the provider's  
21 grant application under par. (f).

22 2. Participate in required technical assistance activities.

23 3. Set and report on quarterly benchmarks to be achieved over the grant period.

24 4. Report outcomes to the department within 30 days of the end of the  
25 24-month project.

