



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO ASSEMBLY BILL 56

1 At the locations indicated, amend the bill, as shown by assembly substitute
2 amendment 1, as follows:

3 **1.** Page 30, line 10: increase the dollar amount for fiscal year 2019-20 by
4 \$100,000 and increase the dollar amount for fiscal year 2020-21 by \$100,000 for the
5 purpose of providing mental health assistance to farmers and farm families.

6 **2.** Page 36, line 5: increase the dollar amount for fiscal year 2019-20 by
7 \$127,900 and increase the dollar amount for fiscal year 2020-21 by \$127,900 for the
8 purpose of funding 1.07 FTE positions to administer the Wisconsin healthcare
9 stability plan.

10 **3.** Page 36, line 5: increase the dollar amount for fiscal year 2019-20 by
11 \$541,300 and increase the dollar amount for fiscal year 2020-21 by \$541,300 for the
12 purpose of funding 5.10 FTE positions to provide health insurance education and

1 outreach activities, including assisting individuals with enrolling in the health
2 insurance exchange.

3 **4.** Page 134, line 4: increase the dollar amount for fiscal year 2019-20 by
4 \$172,500 and increase the dollar amount for fiscal year 2020-21 by \$222,900 for the
5 purpose of lead exposure and poisoning prevention activities.

6 **5.** Page 134, line 12: after that line insert:

7 “(bk) Healthy aging grant program GPR A 250,000 250,000”.

8 **6.** Page 135, line 20: increase the dollar amount for fiscal year 2019-20 by
9 \$489,500 and increase the dollar amount for fiscal year 2020-21 by \$489,500 for the
10 purpose of increasing the authorized FTE positions for the department of health
11 services by 4.6 GPR positions, beginning in fiscal year 2019-20, in the division of
12 public health, to expand dental services to recipients under the Medical Assistance
13 program, BadgerCare Plus, and other low-income patients.

14 **7.** Page 136, line 10: increase the dollar amount for fiscal year 2019-20 by
15 \$1,687,100 and increase the dollar amount for fiscal year 2020-21 by \$4,821,500 for
16 the purpose of lead abatement grants, training, and outreach.

17 **8.** Page 136, line 19: increase the dollar amount for fiscal year 2019-20 by
18 \$193,600 and increase the dollar amount for fiscal year 2020-21 by \$193,600 for the
19 purpose of increasing funding for the women’s health block grant program.

20 **9.** Page 137, line 4: increase the dollar amount for fiscal year 2019-20 by
21 \$3,300,000 and increase the dollar amount for fiscal year 2020-21 by \$3,300,000 for
22 the purpose of awarding tobacco use control grants.

1 **10.** Page 138, line 18: increase the dollar amount for fiscal year 2019-20 by
2 \$3,871,700 and increase the dollar amount for fiscal year 2020-21 by \$11,014,200 for
3 the purpose of lead abatement grants, training, and outreach.

4 **11.** Page 139, line 22: increase the dollar amount for fiscal year 2019-20 by
5 \$1,076,900 for the purpose of creating a separate admissions unit and increasing
6 evening and nighttime supervisory staff at Winnebago Mental Health Institute.

7 **12.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
8 \$1,422,800 and increase the dollar amount for fiscal year 2020-21 by \$1,422,800 for
9 the purpose of increasing pay-for-performance incentives to BadgerCare Plus
10 health maintenance organizations to conduct blood-lead testing for children.

11 **13.** Page 140, line 19: decrease the dollar amount for fiscal year 2019-20 by
12 \$159,473,300 and decrease the dollar amount for fiscal year 2020-21 by
13 \$165,011,600 for the purpose of expanding eligibility under the Medical Assistance
14 program under s. 49.471 (4) (a) 4. and 8.

15 **14.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
16 \$5,760,000 and increase the dollar amount for fiscal year 2020-21 by \$12,437,600 for
17 the purpose of dental access incentive payments under s. 49.45 (24L) beginning
18 January 1, 2020.

19 **15.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 only
20 by \$192,000 to provide onetime grants for community-based doulas under SECTION
21 9119 (8m) and increase the dollar amount for fiscal year 2020-21 by \$426,700 for the
22 purpose of providing reimbursement for certified doula services provided through
23 the Medical Assistance program in select counties, beginning in fiscal year 2020-21.

1 **16.** Page 140, line 19: decrease the dollar amount for fiscal year 2019-20 by
2 \$1,750,000 and decrease the dollar amount for fiscal year 2020-21 by \$1,750,000 for
3 the purpose of making payments to rural critical care hospitals.

4 **17.** Page 140, line 19: decrease the dollar amount for fiscal year 2019-20 by
5 \$7,700,000 and decrease the dollar amount for fiscal year 2020-21 by \$7,700,000 for
6 the purpose of making hospital access payments and critical access hospital
7 payments.

8 **18.** Page 140, line 19: increase the dollar amount for fiscal year 2020-21 by
9 \$22,500,000 for the purpose of providing as a benefit in the Medical Assistance
10 program nonmedical services that contribute to the determinants of health under s.
11 49.46 (2) (b) 21.

12 **19.** Page 140, line 19: increase the dollar amount for fiscal year 2020-21 by
13 \$9,255,000 for the purpose of extending Medical Assistance eligibility for
14 post-partum women.

15 **20.** Page 140, line 19: decrease the dollar amount for fiscal year 2019-20 by
16 \$11,474,100 and decrease the dollar amount for fiscal year 2020-21 by \$7,783,400
17 for the purpose of reimbursing under the Medical Assistance program direct care to
18 nursing facilities and intermediate care facilities for persons with an intellectual
19 disability.

20 **21.** Page 140, line 19: decrease the dollar amount for fiscal year 2019-20 by
21 \$13,947,900 and decrease the dollar amount for fiscal year 2020-21 by \$16,150,900
22 for the purpose of reimbursing personal care services under the Medical Assistance
23 program.

1 **22.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
2 \$2,454,300 and increase the dollar amount for fiscal year 2020-21 by \$2,454,300 for
3 the purpose of eliminating copayments for prescription drugs for Medical Assistance
4 enrollees.

5 **23.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
6 \$8,732,100 and increase the dollar amount for fiscal year 2020-21 by \$18,217,800 for
7 the purpose of funding an increase of Medical Assistance reimbursement rates for
8 mental health, behavioral health, and psychiatric services provided by physicians
9 and medical clinics, effective January 1, 2020.

10 **24.** Page 140, line 19: increase the dollar amount for fiscal year 2020-21 by
11 \$2,000,000 for the purpose of funding incentive grants to behavioral health providers
12 that adopt electronic health records systems or participate in the state's health
13 information exchange.

14 **25.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
15 \$6,613,900 and decrease the dollar amount for fiscal year 2020-21 by \$872,700 for
16 the purpose of providing the cost to continue Medical Assistance benefits.

17 **26.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
18 \$1,088,200 and increase the dollar amount for fiscal year 2020-21 by \$1,692,900 for
19 the purpose of telehealth reimbursement under the Medical Assistance program.

20 **27.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
21 \$406,000 and increase the dollar amount for fiscal year 2020-21 by \$609,000 for the
22 purpose of providing dental services to Medical Assistance recipients who have
23 disabilities.

1 **28.** Page 140, line 19: decrease the dollar amount for fiscal year 2019-20 by
2 \$6,000,000 and decrease the dollar amount for fiscal year 2020-21 by \$9,000,000 for
3 the purpose of funding the direct care and services portion of the capitation rates
4 provided to care management organizations that administer Family Care in
5 recognition of the direct caregiver workforce challenges facing the state.

6 **29.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
7 \$10,000,000 and increase the dollar amount for fiscal year 2020-21 by \$10,000,000
8 for the purpose of funding a pediatric supplemental hospital payment under s. 49.45
9 (6xm).

10 **30.** Page 140, line 19: increase the dollar amount for fiscal year 2020-21 by
11 \$89,900 for the purpose of providing supportive services delivered under the Medical
12 Assistance medical home health benefit for persons with substance abuse disorders.

13 **31.** Page 140, line 20: increase the dollar amount for fiscal year 2019-20 by
14 \$687,800 and increase the dollar amount for fiscal year 2020-21 by \$874,600 for the
15 purpose of implementing a statewide contract for children's long-term care intake,
16 application, and screening function for the Katie Beckett program, children's
17 long-term supports waiver program, and children's communication options program
18 and specifically to fund 5 children's services navigators, 2 children's disability
19 resource specialists to assist families with complex or multisystem concerns, and 2
20 children's disability ombudsmen to provide advocacy services.

21 **32.** Page 141, line 7: increase the dollar amount for fiscal year 2019-20 by
22 \$4,380,900 and increase the dollar amount for fiscal year 2020-21 by \$1,550,500 for
23 the purpose of supporting contracted services and general program operations for
24 the division of Medicaid services in the department of health services, including

1 projects to modify claims and eligibility information systems to implement state and
2 federal law and policy changes and rate increases incorporated into current
3 contracts.

4 **33.** Page 141, line 12: increase the dollar amount for fiscal year 2019-20 by
5 \$1,039,800 and increase the dollar amount for fiscal year 2020-21 by \$767,500 for
6 the purpose of providing funding necessary to support payments under the
7 Wisconsin funeral and cemetery aids program.

8 **34.** Page 141, line 15: delete lines 15 and 16 and substitute:

9 “(bv) Prescription drug assistance for
10 elderly; aids GPR B 19,617,200 23,607,100”

11 **35.** Page 141, line 18: delete lines 18 to 20 and substitute:

12 “(ed) State supplement to federal sup-
13 plemental security income
14 program GPR S 158,637,000 159,747,400”

15 **36.** Page 142, line 18: delete lines 18 and 19 and substitute:

16 “(j) Prescription drug assistance for
17 elderly; manufacturer rebates PR C 84,461,900 88,904,900”

18 **37.** Page 144, line 8: increase the dollar amount for fiscal year 2019-20 by
19 \$2,077,300 and increase the dollar amount for fiscal year 2020-21 by \$2,077,300 for
20 the purpose of increasing pay-for-performance incentives to BadgerCare Plus
21 health maintenance organizations to conduct blood-lead testing for children.

22 **38.** Page 144, line 14: delete lines 14 and 15 and substitute:

1 “(pg) Federal aid; prescription drug 23,457,100”
2 assistance for elderly PR-F C 19,928,100

3 **39.** Page 144, line 16: increase the dollar amount for fiscal year 2019-20 by
4 \$7,700,000 and increase the dollar amount for fiscal year 2020-21 by \$7,700,000 for
5 the purpose of making hospital access payments and critical access hospital
6 payments.

7 **40.** Page 144, line 16: decrease the dollar amount for fiscal year 2019-20 by
8 \$2,316,200 and increase the dollar amount for fiscal year 2020-21 by \$5,359,700 for
9 the purpose of providing the cost to continue Medical Assistance benefits.

10 **41.** Page 144, line 24: decrease the dollar amount for fiscal year 2019-20 by
11 \$7,400,000 and decrease the dollar amount for fiscal year 2020-21 by \$7,400,000 for
12 the purpose of making hospital access payments.

13 **42.** Page 145, line 3: decrease the dollar amount for fiscal year 2019-20 by
14 \$300,000 and decrease the dollar amount for fiscal year 2020-21 by \$300,000 for the
15 purpose of making critical access hospital payments.

16 **43.** Page 145, line 16: delete lines 16 to 17 and substitute:

17 “(cf) Crisis program enhancement
18 grants GPR B 125,000 125,000”.

19 **44.** Page 146, line 4: after that line insert:

20 “(dg) Regional crisis stabilization facil-
21 ities GPR A -0- 2,500,000”.

22 **45.** Page 148, line 10: increase the dollar amount for fiscal year 2019-20 by
23 \$264,900 and increase the dollar amount for fiscal year 2020-21 by \$365,800 for the

1 purpose of funding an additional 3.78 FTE PR positions within the bureau of assisted
2 living.

3 **46.** Page 148, line 21: increase the dollar amount for fiscal year 2019-20 by
4 \$155,500 and increase the dollar amount for fiscal year 2020-21 by \$214,800 for the
5 purpose of funding an additional 2.22 FTE FED positions in the bureau of assisted
6 living.

7 **47.** Page 149, line 3: increase the dollar amount for fiscal year 2019-20 by
8 \$1,680,000 and increase the dollar amount for fiscal year 2020-21 by \$1,680,000 for
9 the purpose of grants to aging and disability resource centers and tribes to fund 27
10 additional dementia care specialists and 3 new tribal dementia care specialists.

11 **48.** Page 149, line 3: increase the dollar amount for fiscal year 2019-20 only
12 by \$61,600 and increase the dollar amount for fiscal year 2020-21 only by \$78,200
13 for the purpose of funding a 2-year academic detailing primary care clinic dementia
14 training pilot program under SECTION 9119 (3g).

15 **49.** Page 149, line 7: increase the dollar amount for fiscal year 2019-20 by
16 \$1,550,000 and increase the dollar amount for fiscal year 2020-21 by \$7,600,000 for
17 the purpose of increasing funding for the Birth to 3 Program.

18 **50.** Page 157, line 4: increase the dollar amount for fiscal year 2019-20 by
19 \$512,500 and increase the dollar amount for fiscal year 2020-21 by \$675,000 for the
20 purpose of funding services to prevent child abuse or neglect.

21 **51.** Page 231, line 6: decrease the dollar amount for fiscal year 2019-20 by
22 \$444,700 and decrease the dollar amount for fiscal year 2020-21 by \$416,500 for the
23 purpose of transferring the moneys for children's long-term care program.

1 **52.** Page 231, line 6: decrease the dollar amount for fiscal year 2020-21 by
2 \$89,900 for the purpose of providing supportive services delivered under the Medical
3 Assistance medical home health benefit for persons with substance abuse disorders.

4 **53.** Page 231, line 6: decrease the dollar amount for fiscal year 2019-20 by
5 \$1,088,200 and decrease the dollar amount for fiscal year 2020-21 by \$1,692,900 for
6 the purpose of telehealth reimbursement under the Medical Assistance program.

7 **54.** Page 231, line 6: decrease the dollar amount for fiscal year 2019-20 by
8 \$100,000 and decrease the dollar amount for fiscal year 2020-21 by \$100,000 for the
9 purpose of providing mental health assistance to farmers and farm families under
10 the appropriation to the department of agriculture, trade and consumer protection.

11 **55.** Page 249, line 15: after that line insert:

12 “**SECTION 188m.** 20.435 (1) (bk) of the statutes is created to read:

13 20.435 (1) (bk) *Healthy aging grant program.* The amounts in the schedule for
14 grants to an entity that conducts programs in healthy aging.”

15 **56.** Page 249, line 16: delete lines 16 to 18 and substitute:

16 “**SECTION 189b.** 20.435 (1) (cr) of the statutes is created to read:

17 20.435 (1) (cr) *Minority health grants.* The amounts in the schedule for the
18 minority health program under s. 250.20 (3) and (4).”

19 **57.** Page 249, line 24: delete that line and substitute:

20 “**SECTION 190b.** 20.435 (1) (fj) of the statutes is repealed.”

21 **58.** Page 249, line 25: delete that line and substitute:

22 “**SECTION 191b.** 20.435 (1) (kb) of the statutes is repealed.”

23 **59.** Page 252, line 3: delete that line and substitute:

1 “49.685, for distributing grants under s. 146.64, and for reduction of any
2 operating”.

3 **60.** Page 253, line 1: delete lines 1 to 4 and substitute:

4 “**SECTION 195b.** 20.435 (4) (bf) of the statutes is amended to read:

5 20.435 (4) (bf) *Graduate medical training support grants.* As a continuing
6 appropriation, the amounts in the schedule to award grants to rural hospitals under
7 s. 146.63 and to support graduate medical training programs under s. 146.64.”.

8 **61.** Page 255, line 2: after that line insert:

9 “**SECTION 201c.** 20.435 (4) (jw) of the statutes is amended to read:

10 20.435 (4) (jw) *BadgerCare Plus and hospital assessment.* All moneys received
11 ~~from payment of enrollment fees under the program under s. 49.45 (23), all moneys~~
12 transferred under s. 50.38 (9), all moneys transferred from the appropriation account
13 under par. (jz), and 10 percent of all moneys received from penalty assessments
14 under s. 49.471 (9) (c), ~~for administration of the program under s. 49.45 (23), to~~
15 provide a portion of the state share of administrative costs for the BadgerCare Plus
16 Medical Assistance program under s. 49.471, and for administration of the hospital
17 assessment under s. 50.38.”.

18 **62.** Page 255, line 10: delete lines 10 to 14 and substitute:

19 “**SECTION 203b.** 20.435 (5) (cf) of the statutes is amended to read:

20 20.435 (5) (cf) ~~*Mobile crisis team*~~ *Crisis program enhancement grants.*
21 Biennially, the amounts in the schedule for awarding grants to counties or regions
22 to establish certified or enhance crisis programs ~~that create mental health mobile~~
23 ~~crisis teams~~ under s. 46.536.”.

24 **63.** Page 255, line 15: delete lines 15 to 18 and substitute:

1 “**SECTION 204b.** 20.435 (5) (ct) of the statutes is created to read:

2 20.435 (5) (ct) *Mental health consultation program.* The amounts in the
3 schedule for developing a plan for a mental health consultation program under s.
4 51.441. No moneys may be encumbered under this paragraph after June 30, 2021.”

5 **64.** Page 255, line 18: after that line insert:

6 “**SECTION 205c.** 20.435 (5) (dg) of the statutes is created to read:

7 20.435 (5) (dg) *Regional crisis stabilization facilities.* The amounts in the
8 schedule to provide grants to regional crisis stabilization facilities under s. 51.03
9 (7).”

10 **65.** Page 265, line 17: delete that line and substitute:

11 “**SECTION 179b.** 20.505 (8) (hm) 6e. of the statutes is repealed.”

12 **66.** Page 279, line 8: after that line insert:

13 “**SECTION 318f.** 20.940 of the statutes is repealed.”

14 **67.** Page 292, line 25: after that line insert:

15 “**SECTION 414i.** 40.51 (8) of the statutes is amended to read:

16 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
17 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.728, 632.746
18 (1) to (8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853,
19 632.855, 632.867, 632.87 (3) to (6), 632.885, 632.89, 632.895 (5m) and (8) to (17), and
20 632.896.

21 **SECTION 415i.** 40.51 (8m) of the statutes is amended to read:

22 40.51 (8m) Every health care coverage plan offered by the group insurance
23 board under sub. (7) shall comply with ss. 631.95, 632.728, 632.746 (1) to (8) and (10),

1 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855, 632.867,
2 632.885, 632.89, and 632.895 ~~(11)~~ (8) and (10) to (17).”.

3 **68.** Page 295, line 23: delete the material beginning with that line and ending
4 with page 304, line 9, and substitute:

5 **“SECTION 441b.** 46.10 (16) of the statutes is amended to read:

6 46.10 **(16)** The department shall delegate to county departments under ss.
7 51.42 and 51.437 or the local providers of care and services meeting the standards
8 established by the department under s. 46.036, the responsibilities vested in the
9 department under this section for collection of patient fees for services other than
10 those provided at state facilities, those provided to children that are reimbursed
11 under a waiver under s. ~~46.27 (11)~~, 46.275, 46.278, or 46.2785, or those provided
12 under the disabled children’s long-term support program if the county departments
13 or providers meet the conditions that the department determines are appropriate.
14 The department may delegate to county departments under ss. 51.42 and 51.437 the
15 responsibilities vested in the department under this section for collection of patient
16 fees for services provided at the state facilities if the necessary conditions are met.

17 **SECTION 442b.** 46.21 (2m) (b) 1. a. of the statutes is amended to read:

18 46.21 **(2m)** (b) 1. a. The powers and duties of the county departments under ss.
19 46.215, 51.42 and 51.437, ~~including the administration of the long-term support~~
20 ~~community options program under s. 46.27, if the county department under s. 46.215~~
21 ~~is designated as the administering agency under s. 46.27 (3) (b) 1.~~

22 **SECTION 443b.** 46.21 (2m) (b) 1. b. of the statutes is repealed.

23 **SECTION 444b.** 46.215 (1) (m) of the statutes is repealed.

24 **SECTION 445b.** 46.22 (1) (b) 1. e. of the statutes is repealed.

1 **SECTION 446b.** 46.23 (3) (bm) of the statutes is repealed.

2 **SECTION 447b.** 46.269 of the statutes is amended to read:

3 **46.269 Determining financial eligibility for long-term care programs.**

4 To the extent approved by the federal government, the department or its designee
5 shall exclude any assets accumulated in a person's independence account, as defined
6 in s. 49.472 (1) (c), and any income or assets from retirement benefits earned or
7 accumulated from income or employer contributions while employed and receiving
8 ~~state-funded benefits under s. 46.27~~ or medical assistance under s. 49.472 in
9 determining financial eligibility and cost-sharing requirements, if any, for a
10 long-term care program under s. ~~46.27~~, 46.275, or 46.277, for the family care
11 program that provides the benefit defined in s. 46.2805 (4), for the Family Care
12 Partnership program, or for the self-directed services option, as defined in s. 46.2897
13 (1).

14 **SECTION 448b.** 46.27 of the statutes is repealed.

15 **SECTION 449b.** 46.271 (1) (c) of the statutes is amended to read:

16 46.271 (1) (c) The department may contract with an aging unit, as defined in
17 s. ~~46.27~~ 46.82 (1) (a), for administration of services under par. (a) if, by resolution,
18 the county board of supervisors of that county so requests the department.

19 **SECTION 450b.** 46.275 (3) (e) of the statutes is repealed.

20 **SECTION 451b.** 46.275 (5) (b) 7. of the statutes is amended to read:

21 46.275 (5) (b) 7. Provide services in any community-based residential facility
22 unless the county or department uses as a service contract the approved model
23 contract developed under s. 46.27 (2) (j), 2017 stats., or a contract that includes all
24 of the provisions of the approved model contract.

25 **SECTION 452b.** 46.277 (1m) (at) of the statutes is amended to read:

1 46.277 (1m) (at) "Private nonprofit agency" has the meaning specified in s.
2 46.27 (1) (bm) means a nonprofit corporation, as defined in s. 181.0103 (17), that
3 provides a program of all-inclusive care for the elderly under 42 USC 1395eee or
4 1396u-4.

5 **SECTION 453b.** 46.277 (3) (a) of the statutes is amended to read:

6 46.277 (3) (a) ~~Sections 46.27 (3) (b) and Section 46.275 (3) (a) and (c) to (e) apply~~
7 applies to county participation in this program, except that services provided in the
8 program shall substitute for care provided a person in a skilled nursing facility or
9 intermediate care facility who meets the level of care requirements for medical
10 assistance reimbursement to that facility rather than for care provided at a state
11 center for the developmentally disabled. The number of persons who receive services
12 provided by the program under this paragraph may not exceed the number of
13 nursing home beds, other than beds specified in sub. (5g) (b), that are delicensed as
14 part of a plan submitted by the facility and approved by the department.

15 **SECTION 454b.** 46.277 (5) (d) 2. (intro.) and b. of the statutes are consolidated,
16 renumbered 46.277 (5) (d) 2. and amended to read:

17 46.277 (5) (d) 2. No county may use funds received under this section to provide
18 residential services in any community-based residential facility, as defined in s.
19 50.01 (1g), unless ~~one of the following applies: b. The~~ the department approves the
20 provision of services in a community-based residential facility that entirely consists
21 of independent apartments, each of which has an individual lockable entrance and
22 exit and individual separate kitchen, bathroom, sleeping and living areas, to
23 individuals who are eligible under this section and are physically disabled or are at
24 least 65 years of age.

25 **SECTION 455b.** 46.277 (5) (d) 2. a. of the statutes is repealed.

1 **SECTION 456b.** 46.277 (5) (d) 3. of the statutes is amended to read:

2 46.277 (5) (d) 3. If subd. 2. ~~a. or b.~~ applies, no county may use funds received
3 under this section to pay for services provided to a person who resides or intends to
4 reside in a community-based residential facility and who is initially applying for the
5 services, if the projected cost of services for the person, plus the cost of services for
6 existing participants, would cause the county to exceed the limitation under sub. (3)
7 (c). The department may grant an exception to the requirement under this
8 subdivision, under the conditions specified by rule, to avoid hardship to the person.

9 **SECTION 457b.** 46.277 (5) (f) of the statutes is amended to read:

10 46.277 (5) (f) No county or private nonprofit agency may use funds received
11 under this subsection to provide services in any community-based residential
12 facility unless the county or agency uses as a service contract the approved model
13 contract developed under s. 46.27 (2) (j), 2017 stats., or a contract that includes all
14 of the provisions of the approved model contract.

15 **SECTION 458b.** 46.278 (4) (a) of the statutes is amended to read:

16 46.278 (4) (a) Sections ~~46.27 (3) (b) and Section~~ 46.275 (3) (a) and (c) to (e) apply
17 applies to county participation in a program, except that services provided in the
18 program shall substitute for care provided a person in an intermediate care facility
19 for persons with an intellectual disability or in a brain injury rehabilitation facility
20 who meets the intermediate care facility for persons with an intellectual disability
21 or brain injury rehabilitation facility level of care requirements for medical
22 assistance reimbursement to that facility rather than for care provided at a state
23 center for the developmentally disabled.

24 **SECTION 459b.** 46.2803 of the statutes is repealed.

25 **SECTION 460b.** 46.2805 (1) (b) of the statutes is amended to read:

1 46.2805 (1) (b) A demonstration program known as the Wisconsin partnership
2 Family Care Partnership program under a federal waiver authorized under 42 USC
3 1315 1396n.

4 **SECTION 461b.** 46.281 (1d) of the statutes is amended to read:

5 46.281 (1d) WAIVER REQUEST. The department shall request from the secretary
6 of the federal department of health and human services any waivers of federal
7 medicaid laws necessary to permit the use of federal moneys to provide the family
8 care benefit and the self-directed services option to recipients of medical assistance.
9 The department shall implement any waiver that is approved and that is consistent
10 with ss. 46.2805 to 46.2895. Regardless of whether a waiver is approved, the
11 department may implement operation of resource centers, care management
12 organizations, and the family care benefit.

13 **SECTION 462b.** 46.281 (1n) (d) of the statutes is repealed.

14 **SECTION 463b.** 46.281 (3) of the statutes is repealed.

15 **SECTION 464b.** 46.2825 of the statutes is repealed.

16 **SECTION 465b.** 46.283 (3) (f) of the statutes is amended to read:

17 46.283 (3) (f) Assistance to a person ~~who is eligible for the family care benefit~~
18 with respect to the person's choice of whether or not to enroll in the self-directed
19 services option, as defined in s. 46.2899 (1), a care management organization for the
20 family care benefit or the Family Care Partnership program, or the program of
21 all-inclusive care for the elderly and, if so, which available long-term care program
22 or care management organization would best meet his or her needs.

23 **SECTION 466b.** 46.283 (4) (e) of the statutes is repealed.

24 **SECTION 467b.** 46.283 (4) (f) of the statutes is amended to read:

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

5 **SECTION 468b.** 46.283 (6) (b) 7. of the statutes is repealed.

6 **SECTION 469b.** 46.283 (6) (b) 9. of the statutes is amended to read:

7 46.283 (6) (b) 9. Review the number and types of grievances and appeals
8 ~~concerning the long-term care system in the area served by~~ related to the resource
9 center; to determine if a need exists for system changes, and recommend system or
10 other changes if appropriate.

11 **SECTION 470b.** 46.283 (6) (b) 10. of the statutes is repealed.

12 **SECTION 471b.** 46.285 (intro.) of the statutes is renumbered 46.285 and
13 amended to read:

14 **46.285 Operation of resource center and care management**
15 **organization.** In order to meet federal requirements and assure federal financial
16 participation in funding of the family care benefit, a county, a tribe or band, a
17 long-term care district or an organization, including a private, nonprofit
18 corporation, may not directly operate both a resource center and a care management
19 organization, ~~except as follows:~~

20 **SECTION 472b.** 46.285 (1) of the statutes is repealed.

21 **SECTION 473b.** 46.285 (2) of the statutes is repealed.

22 **SECTION 474b.** 46.286 (3) (b) 2. a. of the statutes is repealed.

23 **SECTION 475b.** 46.287 (2) (a) 1. (intro.) of the statutes is amended to read:

24 46.287 (2) (a) 1. (intro.) Except as provided in subd. 2., a client may contest any
25 of the following applicable matters by filing, within 45 days of the failure of a resource

1 center or ~~care management organization~~ county to act on the contested matter
2 within the time frames specified by rule by the department or within 45 days after
3 receipt of notice of a decision in a contested matter, a written request for a hearing
4 under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1):

5 **SECTION 476b.** 46.287 (2) (a) 1. d. of the statutes is renumbered 46.287 (2) (a)
6 1m. b.

7 **SECTION 477b.** 46.287 (2) (a) 1. e. of the statutes is repealed.

8 **SECTION 478b.** 46.287 (2) (a) 1. f. of the statutes is repealed.

9 **SECTION 479b.** 46.287 (2) (a) 1m. of the statutes is created to read:

10 46.287 (2) (a) 1m. Except as provided in subd. 2., a client may contest any of
11 the following adverse benefit determinations by filing, within 90 days of the failure
12 of a care management organization to act on a contested adverse benefit
13 determination within the time frames specified by rule by the department or within
14 90 days after receipt of notice of a decision upholding the adverse benefit
15 determination, a written request for a hearing under s. 227.44 to the division of
16 hearings and appeals created under s. 15.103 (1):

17 a. Denial of functional eligibility under s. 46.286 (1) as a result of the care
18 management organization's administration of the long-term care functional screen,
19 including a change from a nursing home level of care to a non-nursing home level
20 of care.

21 c. Denial or limited authorization of a requested service, including
22 determinations based on type or level of service, requirements or medical necessity,
23 appropriateness, setting, or effectiveness of a covered benefit.

1 d. Reduction, suspension, or termination of a previously authorized service,
2 unless the service was only authorized for a limited amount or duration and that
3 amount or duration has been completed.

4 e. Denial, in whole or in part, of payment for a service.

5 f. The failure of a care management organization to act within the time frames
6 provided in 42 CFR 438.408 (b) (1) and (2) regarding the standard resolution of
7 grievances and appeals.

8 g. Denial of an enrollee's request to dispute financial liability, including
9 copayments, premiums, deductibles, coinsurance, other cost sharing, and other
10 member financial liabilities.

11 h. Denial of an enrollee, who is a resident of a rural area with only one care
12 management organization, to obtain services outside the care management
13 organization's network of contracted providers.

14 i. Development of a plan of care that is unacceptable to the enrollee because the
15 plan of care requires the enrollee to live in a place that is unacceptable to the enrollee;
16 the plan of care does not provide sufficient care, treatment, or support to meet the
17 enrollee's needs and support the enrollee's identified outcomes; or the plan of care
18 requires the enrollee to accept care, treatment, or support that is unnecessarily
19 restrictive or unwanted by the enrollee.

20 j. Involuntary disenrollment from the care management organization.

21 **SECTION 480b.** 46.287 (2) (b) of the statutes is amended to read:

22 46.287 (2) (b) An enrollee may contest a decision, omission or action of a care
23 management organization other than those specified in par. (a), ~~or may contest the~~
24 ~~choice of service provider. In these instances, the enrollee shall first send a written~~
25 ~~request for review by the unit of the department that monitors care management~~

1 ~~organization contracts. This unit shall review and attempt to resolve the dispute.~~
2 ~~1m. by filing a grievance with the care management organization. If the dispute~~
3 ~~grievance is not resolved to the satisfaction of the enrollee, he or she may request~~
4 ~~a hearing under the procedures specified in par. (a) 1. (intro.) that the department~~
5 ~~review the decision of the care management organization.~~

6 **SECTION 481b.** 46.288 (2) (intro.) of the statutes is renumbered 46.288 (2) and
7 amended to read:

8 46.288 (2) Criteria and procedures for determining functional eligibility under
9 s. 46.286 (1) (a), financial eligibility under s. 46.286 (1) (b), and cost sharing under
10 s. 46.286 (2) (a). ~~The rules for determining functional eligibility under s. 46.286 (1)~~
11 ~~(a) 1m. shall be substantially similar to eligibility criteria for receipt of the long-term~~
12 ~~support community options program under s. 46.27. Rules under this subsection~~
13 ~~shall include definitions of the following terms applicable to s. 46.286:~~

14 **SECTION 482b.** 46.288 (2) (d) to (j) of the statutes are repealed.

15 **SECTION 483b.** 46.2896 (1) (a) of the statutes is amended to read:

16 46.2896 (1) (a) “Long-term care program” means the long-term care program
17 under s. 46.27, 46.275, 46.277, 46.278, or 46.2785; the family care program providing
18 the benefit under s. 46.286; the Family Care Partnership program; or the long-term
19 care program defined in s. 46.2899 (1).”.

20 **69.** Page 304, line 10: delete lines 10 to 18 and substitute:

21 “**SECTION 484p.** 46.536 of the statutes is amended to read:

22 **46.536 Mobile crisis team Crisis program enhancement grants.** From
23 the appropriation under s. 20.435 (5) (cf), the department shall award grants in the
24 total amount of \$250,000 in each fiscal biennium to counties or regions comprised of

1 multiple counties to establish ~~certified or enhance~~ crisis programs that create mental
2 health mobile crisis teams to serve individuals having mental health crises in rural
3 areas. The department shall award a grant under this section in an amount equal
4 to one-half the amount of money the county or region provides to establish ~~certified~~
5 ~~or enhance~~ crisis programs that create mobile crisis teams.”.

6 **70.** Page 304, line 19: after that line insert:

7 “SECTION 485m. 46.854 of the statutes is created to read:

8 **46.854 Healthy aging grant program.** From the appropriation under s.
9 20.435 (1) (bk), the department shall award in each fiscal year a grant of \$250,000
10 to an entity that conducts programs in healthy aging.

11 SECTION 485w. 46.995 (4) of the statutes is created to read:

12 46.995 (4) The department shall ensure that any child who is eligible and who
13 applies for the disabled children’s long-term support program that is operating
14 under a waiver of federal law receives services under the disabled children’s
15 long-term support program that is operating under a waiver of federal law.”.

16 **71.** Page 346, line 3: delete lines 3 to 5 and substitute:

17 “(u) *Prevention services.* For services to prevent child abuse or neglect,
18 ~~\$5,289,600 in each fiscal year~~ \$6,302,100 in fiscal year 2019-20 and \$7,464,600 in
19 fiscal year 2020-21.”.

20 **72.** Page 348, line 15: after that line insert:

21 “SECTION 652c. 49.45 (2p) of the statutes is repealed.

22 SECTION 653t. 49.45 (2t) of the statutes is repealed.”.

23 **73.** Page 348, line 21: after that line insert:

24 “SECTION 654f. 49.45 (3) (e) 11. of the statutes is amended to read:

1 49.45 (3) (e) 11. The department shall use a portion of the moneys collected
2 under s. 50.38 (2) (a) to pay for services provided by eligible hospitals, as defined in
3 s. 50.38 (1), other than critical access hospitals, under the Medical Assistance
4 Program under this subchapter, including services reimbursed on a fee-for-service
5 basis and services provided under a managed care system. For state fiscal year
6 2008-09, total payments required under this subdivision, including both the federal
7 and state share of Medical Assistance, shall equal the amount collected under s.
8 50.38 (2) (a) for fiscal year 2008-09 divided by 57.75 percent. For each state fiscal
9 year after state fiscal year 2008-09, total payments required under this subdivision,
10 including both the federal and state share of Medical Assistance, shall equal the
11 amount collected under s. 50.38 (2) (a) for the fiscal year divided by ~~61.68~~ 53.69
12 percent.

13 **SECTION 654h.** 49.45 (3) (e) 12. of the statutes is amended to read:

14 49.45 (3) (e) 12. The department shall use a portion of the moneys collected
15 under s. 50.38 (2) (b) to pay for services provided by critical access hospitals under
16 the Medical Assistance Program under this subchapter, including services
17 reimbursed on a fee-for-service basis and services provided under a managed care
18 system. For each state fiscal year, total payments required under this subdivision,
19 including both the federal and state share of Medical Assistance, shall equal the
20 amount collected under s. 50.38 (2) (b) for the fiscal year divided by ~~61.68~~ 53.69
21 percent.

22 **SECTION 657b.** 49.45 (3m) (a) (intro.) of the statutes is amended to read:

23 49.45 (3m) (a) (intro.) Subject to par. (c) and notwithstanding sub. (3) (e), from
24 the appropriations under s. 20.435 (4) (b) and (o), in each fiscal year, the department
25 shall pay to hospitals that serve a disproportionate share of low-income patients an

1 amount equal to the sum of ~~\$27,500,000~~ \$56,500,000, as the state share of payments,
2 and the matching federal share of payments. The department may make a payment
3 to a hospital under this subsection under the calculation method described in par. (b)
4 if the hospital meets all of the following criteria:

5 **SECTION 658b.** 49.45 (3m) (b) 3. a. of the statutes is amended to read:

6 49.45 **(3m)** (b) 3. a. No single hospital receives more than ~~\$4,600,000~~
7 \$9,200,000, except that a hospital that is a free-standing pediatric teaching hospital
8 located in Wisconsin that has a percentage calculated under subd. 1. a. greater than
9 50 percent may receive up to \$12,000,000 each fiscal year.”.

10 **74.** Page 348, line 23: delete the material beginning with that line and ending
11 with page 349, line 11, and substitute:

12 “49.45 **(3p)** (a) Subject to par. (c) and notwithstanding sub. (3) (e), from the
13 appropriations under s. 20.435 (4) (b) and (o), in each fiscal year, the department
14 shall pay to hospitals that ~~would~~ are not eligible for payments under sub. (3m) but
15 that meet the criteria under sub. (3m) (a) except that the hospitals do not provide
16 obstetric services 1. and 2. and that, in the most recent year for which information
17 is available, charged at least 6 percent of overall charges for services to the Medical
18 Assistance program for services provided to Medical Assistance recipients an
19 amount equal to the sum of ~~\$250,000~~ \$500,000, as the state share of payments, and
20 the matching federal share of payments. The department may make a payment to
21 a hospital under this subsection under a calculation method determined by the
22 department that provides a fee-for-service supplemental payment that increases as
23 the hospital’s percentage of ~~inpatient days for Medical Assistance recipients at the~~

1 ~~hospital the total amount of the hospital's overall charges for services that are~~
2 ~~charges to the Medical Assistance program increases."~~

3 **75.** Page 349, line 12: delete the material beginning with that line and ending
4 with page 351, line 15, and substitute:

5 **"SECTION 660b.** 49.45 (5) (a) of the statutes is amended to read:

6 49.45 (5) (a) Any person whose application for medical assistance is denied or
7 is not acted upon promptly or who believes that the payments made in the person's
8 behalf have not been properly determined or that his or her eligibility has not been
9 properly determined may file an appeal with the department pursuant to par. (b).
10 Review is unavailable if the decision or failure to act arose more than 45 days before
11 submission of the petition for a hearing, except as provided in par. (ag) or (ar).

12 **SECTION 661b.** 49.45 (5) (ag) of the statutes is created to read:

13 49.45 (5) (ag) A person shall request a hearing within 90 days of the date of
14 receipt of a notice from a care management organization or managed care
15 organization upholding its adverse benefit determination relating to any of the
16 following or within 90 days of the date the care management organization or
17 managed care organization failed to act on the contested matter within the time
18 specified by the department:

19 1. Denial or limited authorization of a requested services, including a
20 determination based on the type or level of service, requirement for medical
21 necessity, appropriateness, setting, or effectiveness of a covered benefit.

22 2. Reduction, suspension, or termination of a previously authorized service,
23 unless the service was only authorized for a limited amount or duration and that
24 amount or duration has been completed.

1 3. Denial, in whole or in part, of payment for a service.

2 4. Failure to provide services in a timely manner.

3 5. Failure of a care management organization or managed care organization
4 to act within the time frames provided in 42 CFR 438.408 (b) (1) and (2) regarding
5 the standard resolution of grievances and appeals.

6 6. Denial of an enrollee's request to dispute financial liability, including
7 copayments, premiums, deductibles, coinsurance, other cost sharing, and other
8 member financial liabilities.

9 7. Denial of an enrollee, who is a resident of a rural area with only one care
10 management organization or managed care organization, to obtain services outside
11 the organization's network of contracted providers.

12 **SECTION 662b.** 49.45 (5) (ar) of the statutes is created to read:

13 49.45 (5) (ar) If a federal regulation specifies a different time limit to request
14 a hearing than par. (a) or (ag), the time limit in the federal regulation shall apply.

15 **SECTION 663b.** 49.45 (5) (b) 1. (intro.) of the statutes is amended to read:

16 49.45 (5) (b) 1. (intro.) Upon receipt of a timely petition under par. (a) the
17 department shall give the applicant or recipient reasonable notice and opportunity
18 for a fair hearing. The department may make such additional investigation as it
19 considers necessary. Notice of the hearing shall be given to the applicant or recipient
20 and, if a county department under s. 46.215, 46.22, or 46.23 is responsible for making
21 the medical assistance determination, to the county clerk of the county. The county
22 may be represented at such hearing. The department shall render its decision as
23 soon as possible after the hearing and shall send a certified copy of its decision to the
24 applicant or recipient, to the county clerk, and to any county officer charged with
25 administration of the Medical Assistance program. The decision of the department

1 shall have the same effect as an order of a county officer charged with the
2 administration of the Medical Assistance program. The decision shall be final, but
3 may be revoked or modified as altered conditions may require. The department shall
4 deny a petition for a hearing or shall refuse to grant relief if:

5 **SECTION 664b.** 49.45 (5) (b) 1. d. of the statutes is created to read:

6 49.45 (5) (b) 1. d. The issue is an adverse benefit determination described in
7 par. (ag) 1. to 7. made by a care management organization or managed care
8 organization and the person requesting the hearing has not exhausted the internal
9 appeal procedure with the organization.”

10 **76.** Page 352, line 22: after that line insert:

11 “**SECTION 667b.** 49.45 (6xm) of the statutes is created to read:

12 49.45 (6xm) PEDIATRIC INPATIENT SUPPLEMENT. (a) From the appropriations
13 under s. 20.435 (4) (b), (o), and (w), the department shall, using a method determined
14 by the department, distribute a total sum of \$2,000,000 each state fiscal year to
15 hospitals that meet all of the following criteria:

16 1. The hospital is an acute care hospital located in this state.

17 2. During the hospital’s fiscal year, the inpatient days in the hospital’s acute
18 care pediatric units and intensive care pediatric units totaled more than 12,000 days,
19 not including neonatal intensive care units. For purposes of this subsection, the
20 hospital’s fiscal year is the hospital’s fiscal year that ended in the 2nd calendar year
21 preceding the beginning of the state fiscal year.

22 (b) Notwithstanding par. (a), from the appropriations under s. 20.435 (4) (b),
23 (o), and (w), the department may, using a method determined by the department,
24 distribute an additional total sum of \$10,000,000 in each state fiscal year to hospitals

1 that are free-standing pediatric teaching hospitals located in Wisconsin that have
2 a percentage calculated under s. 49.45 (3m) (b) 1. a. greater than 45 percent.

3 **SECTION 668h.** 49.45 (19) (title) of the statutes is amended to read:

4 49.45 (19) (title) ~~ASSIGNING~~ ESTABLISHING PATERNITY AND ASSIGNING MEDICAL
5 SUPPORT RIGHTS.

6 **SECTION 669m.** 49.45 (19) (a) of the statutes is amended to read:

7 49.45 (19) (a) As Except as provided in par. (c), as a condition of eligibility for
8 medical assistance, a person shall, notwithstanding other provisions of the statutes,
9 be deemed to have assigned to the state, by applying for or receiving medical
10 assistance, any rights to medical support or other payment of medical expenses from
11 any other person, including rights to unpaid amounts accrued at the time of
12 application for medical assistance as well as any rights to support accruing during
13 the time for which medical assistance is paid.

14 **SECTION 670h.** 49.45 (19) (am) of the statutes is created to read:

15 49.45 (19) (am) As a condition of eligibility for medical assistance, a person
16 shall cooperate in good faith with efforts directed at establishing the paternity of a
17 nonmarital child and obtaining support payments or any other payments or property
18 to which the person and the dependent child or children may have rights. This
19 cooperation shall be in accordance with federal law and regulations applying to
20 paternity establishment and collection of support payments and may not be required
21 if the person has good cause for refusing to cooperate, as determined by the
22 department in accordance with federal law and regulations.

23 **SECTION 671m.** 49.45 (19) (c) of the statutes is amended to read:

24 49.45 (19) (c) ~~If the mother of a child was enrolled in a health maintenance~~
25 ~~organization or other prepaid health care plan under medical assistance at the time~~

1 ~~of the child's birth, The state may not seek recovery of birth expenses that may be~~
2 ~~recovered by the state under this subsection are the birth expenses incurred by the~~
3 ~~health maintenance organization or other prepaid health care plan.~~

4 **SECTION 672c.** 49.45 (23) of the statutes is repealed.

5 **SECTION 673g.** 49.45 (23) (g) of the statutes is repealed.

6 **SECTION 674g.** 49.45 (23b) of the statutes is repealed.

7 **SECTION 676m.** 49.45 (24L) of the statutes is created to read:

8 **49.45 (24L) CRITICAL ACCESS REIMBURSEMENT PAYMENTS TO DENTAL PROVIDERS.** (a)

9 Based on the criteria in pars. (b) and (c), the department shall increase
10 reimbursements to dental providers that meet quality of care standards, as
11 established by the department.

12 (b) In order to be eligible for enhanced reimbursement under this subsection,
13 the provider must meet one of the following qualifications:

14 1. For a nonprofit or public provider, 50 percent or more of the individuals
15 served by the provider are individuals who are without dental insurance or are
16 enrolled in the Medical Assistance program.

17 2. For a for-profit provider, 5 percent or more of the individuals served by the
18 provider are enrolled in the Medical Assistance program.

19 (c) For dental services rendered on or after January 1, 2020, by a qualified
20 nonprofit critical access dental provider, the department shall increase
21 reimbursement by 50 percent above the reimbursement rate that would otherwise
22 be paid to that provider. For dental services rendered on or after January 1, 2020,
23 by a qualified for-profit critical access dental provider, the department shall increase
24 reimbursement by 30 percent above the reimbursement rate that would otherwise
25 be paid to that provider. For dental providers rendering services to individuals in

1 managed care under the Medical Assistance program, for services rendered on or
2 after January 1, 2020, the department shall increase reimbursement to pay an
3 additional amount on the basis of the rate that would have been paid to the dental
4 provider had the individual not been enrolled in managed care.

5 (d) If a provider has more than one service location, the thresholds described
6 under par. (b) apply to each location, and payment for each service location would be
7 determined separately.”.

8 **77.** Page 352, line 24: delete the material beginning with that line and ending
9 with page 353, line 8, and substitute:

10 “49.45 (29w) (b) 1. b. “Telehealth” is means a service provided from a remote
11 location using a combination of interactive video, audio, and externally acquired
12 images through a networking environment between an individual or a provider at
13 an originating site and a provider at a remote location with the service being of
14 sufficient audio and visual fidelity and clarity as to be functionally equivalent to
15 face-to-face contact; or, in circumstances determined by the department, an
16 asynchronous transmission of digital clinical information through a secure
17 electronic communications system from one provider to another provider.
18 “Telehealth” does not include telephone conversations or Internet-based
19 communications between providers or between providers and individuals.”.

20 **78.** Page 353, line 9: delete that line and substitute:

21 “**SECTION 678b.** 49.45 (29y) (d) of the statutes is repealed.

22 **SECTION 679p.** 49.45 (30y) of the statutes is created to read:

1 49.45 (30y) CERTIFIED DOULA SERVICES; PILOT PROJECT. (a) In this subsection,
2 “certified doula” means an individual who has received certification from a doula
3 certifying organization recognized by the department.

4 (b) For purposes of this subsection, services provided by certified doulas include
5 continuous emotional and physical support during labor and birth of a child and
6 intermittent services during the prenatal and postpartum periods.

7 (c) Subject to par. (d), the department shall reimburse under the Medical
8 Assistance program benefits as provided under this subsection for pregnant women
9 enrolled in the Medical Assistance program who reside in the counties of Brown,
10 Dane, Milwaukee, Rock, or Sheboygan, or another county as determined by the
11 department.

12 (d) The department shall request from the secretary of the federal department
13 of health and human services any approval necessary to allow reimbursement under
14 the Medical Assistance program for services provided by a certified doula. The
15 department may not pay reimbursement unless federal approval is not required or
16 any required federal approval allowing reimbursement under s. 49.46 (2) (b) 12p. is
17 approved and in effect.”.

18 **79.** Page 353, line 11: delete the material beginning with that line and ending
19 with page 354, line 17, and substitute:

20 “49.45 (41) ~~MENTAL HEALTH CRISIS~~ CRISIS INTERVENTION SERVICES. (a) In this
21 subsection, “~~mental health crisis intervention services~~” means crisis intervention
22 services for the treatment of mental illness, intellectual disability, substance abuse,
23 and dementia that are provided by a ~~mental health~~ crisis intervention program

1 operated by, or under contract with, a county, if the county is certified as a medical
2 assistance provider.

3 (b) If a county elects to become certified as a provider of ~~mental health crisis~~
4 intervention services, the county may provide ~~mental health crisis~~ intervention
5 services under this subsection in the county to medical assistance recipients through
6 the medical assistance program. A county that elects to provide the services shall
7 pay the amount of the allowable charges for the services under the medical
8 assistance program that is not provided by the federal government. The department
9 shall reimburse the county under this subsection only for the amount of the allowable
10 charges for those services under the medical assistance program that is provided by
11 the federal government.

12 **SECTION 681b.** 49.45 (41) (c) of the statutes is created to read:

13 49.45 (41) (c) Notwithstanding par. (b), if a county elects to deliver crisis
14 intervention services under the Medical Assistance program on a regional basis
15 according to criteria established by the department, all of the following apply:

16 1. After January 1, 2020, the department shall require the county to annually
17 contribute for the crisis intervention services an amount equal to 75 percent of the
18 county's expenditures for crisis intervention services under this subsection in
19 calendar year 2017, as determined by the department.

20 2. The department shall reimburse the provider of crisis intervention services
21 in the county the amount of allowable charges for those services under the Medical
22 Assistance program, including both the federal share and nonfederal share of those
23 charges, that exceeds the amount of the county contribution required under subd. 1.

24 3. If a county submits a certified cost report under s. 49.45 (52) (b) to claim
25 federal medical assistance funds, the claim based on certified costs made by a county

1 for amounts under subd. 2. may not include any part of the nonfederal share of the
2 amount under subd. 2.”.

3 **80.** Page 354, line 23: delete the material beginning with that line and ending
4 with page 355, line 6, and substitute:

5 **“SECTION 683b.** 49.45 (47) (dm) of the statutes is created to read:

6 49.45 (47) (dm) Every 24 months, on a schedule determined by the department,
7 an adult day care center shall submit through an online system prescribed by the
8 department a report in the form and containing the information that the department
9 requires, including payment of any fee due under par. (c). If a complete report is not
10 timely filed, the department shall issue a warning to the operator of the adult day
11 care center. The department may revoke an adult day care center’s certification for
12 failure to timely and completely report within 60 days after the report date
13 established under the schedule determined by the department.”.

14 **81.** Page 355, line 6: after that line insert:

15 **“SECTION 685b.** 49.46 (1) (a) 1m. of the statutes is amended to read:

16 49.46 (1) (a) 1m. Any pregnant woman whose income does not exceed the
17 standard of need under s. 49.19 (11) and whose pregnancy is medically verified.
18 Eligibility continues to the last day of the month in which the 60th day or, if approved
19 by the federal government, the 365th day after the last day of the pregnancy falls.”.

20 **82.** Page 355, line 21: after that line insert:

21 **“SECTION 688b.** 49.46 (1) (j) of the statutes is amended to read:

22 49.46 (1) (j) An individual determined to be eligible for benefits under par. (a)
23 9. remains eligible for benefits under par. (a) 9. for the balance of the pregnancy and
24 to the last day of the month in which the 60th day or, if approved by the federal

1 ~~government, the 365th day~~ after the last day of the pregnancy falls without regard
2 to any change in the individual's family income.”.

3 **83.** Page 356, line 2: after that line insert:

4 “**SECTION 690p.** 49.46 (2) (b) 12p. of the statutes is created to read:

5 49.46 (2) (b) 12p. Subject to the limitations under s. 49.45 (30y), services
6 provided by a certified doula.”.

7 **84.** Page 356, line 4: delete lines 4 and 5 and substitute:

8 “49.46 (2) (b) 15. ~~Mental health crisis~~ Crisis intervention services under s.
9 49.45 (41).”.

10 **85.** Page 356, line 5: after that line insert:

11 “**SECTION 691d.** 49.46 (2) (b) 21. of the statutes is created to read:

12 49.46 (2) (b) 21. Subject to par. (bv), nonmedical services that contribute to the
13 determinants of health.

14 **SECTION 691g.** 49.46 (2) (bv) of the statutes is created to read:

15 49.46 (2) (bv) The department shall determine those services under par. (b) 21.
16 that contribute to the determinants of health. The department shall seek any
17 necessary state plan amendment or request any waiver of federal Medicaid law to
18 implement this paragraph. The department is not required to provided the services
19 under this paragraph as a benefit under the Medical Assistance program if the
20 federal department of health and human services does not provide federal financial
21 participation for the services under this paragraph.

22 **SECTION 694h.** 49.463 of the statutes is repealed.

23 **SECTION 695b.** 49.47 (4) (ag) 2. of the statutes is amended to read:

1 49.47 (4) (ag) 2. Pregnant and the woman's pregnancy is medically verified
2 Eligibility continues to the last day of the month in which the 60th day or, if approved
3 by the federal government, the 365th day after the last day of the pregnancy falls.”.

4 **86.** Page 356, line 23: after that line insert:

5 **“SECTION 699c.** 49.471 (1) (cr) of the statutes is created to read:

6 49.471 (1) (cr) “Enhanced federal medical assistance percentage” means a
7 federal medical assistance percentage described under 42 USC 1396d (y) or (z).

8 **SECTION 700c.** 49.471 (4) (a) 4. b. of the statutes is amended to read:

9 49.471 (4) (a) 4. b. The individual's family income does not exceed ~~100~~ 133
10 percent of the poverty line ~~before application of the 5 percent income disregard under~~
11 ~~42 CFR 435.603 (d).~~

12 **SECTION 701c.** 49.471 (4) (a) 8. of the statutes is created to read:

13 49.471 (4) (a) 8. An individual who meets all of the following criteria:

14 a. The individual is an adult under the age of 65.

15 b. The adult has a family income that does not exceed 133 percent of the poverty
16 line, except as provided in sub. (4g).

17 c. The adult is not otherwise eligible for the Medical Assistance program under
18 this subchapter or the Medicare program under 42 USC 1395 et seq.

19 **SECTION 702c.** 49.471 (4g) of the statutes is created to read:

20 49.471 (4g) **MEDICAID EXPANSION; FEDERAL MEDICAL ASSISTANCE PERCENTAGE.** For
21 services provided to individuals described under sub. (4) (a) 8., the department shall
22 comply with all federal requirements to qualify for the highest available enhanced
23 federal medical assistance percentage. The department shall submit any
24 amendment to the state medical assistance plan, request for a waiver of federal

1 Medicaid law, or other approval request required by the federal government to
2 provide services to the individuals described under sub. (4) (a) 8. and qualify for the
3 highest available enhanced federal medical assistance percentage.

4 **SECTION 703b.** 49.471 (6) (b) of the statutes is amended to read:

5 49.471 (6) (b) A pregnant woman who is determined to be eligible for benefits
6 under sub. (4) remains eligible for benefits under sub. (4) for the balance of the
7 pregnancy and to the last day of the month in which the 60th day or, if approved by
8 the federal government, the 365th day after the last day of the pregnancy falls
9 without regard to any change in the woman's family income.

10 **SECTION 704b.** 49.471 (6) (L) of the statutes is created to read:

11 49.471 (6) (L) The department shall request from the federal department of
12 health and human services approval of a state plan amendment, a waiver of federal
13 Medicaid law, or approval of a demonstration project to maintain eligibility for
14 post-partum women to the last day of the month in which the 365th day after the
15 last day of the pregnancy falls under ss. 49.46 (1) (a) 1m. and 9. and (j), 49.47 (4) (ag)
16 2., and 49.471 (4) (a) 1g. and 1m., (6) (b), and (7) (b) 1.

17 **SECTION 705b.** 49.471 (7) (b) 1. of the statutes is amended to read:

18 49.471 (7) (b) 1. A pregnant woman whose family income exceeds 300 percent
19 of the poverty line may become eligible for coverage under this section if the
20 difference between the pregnant woman's family income and the applicable income
21 limit under sub. (4) (a) is obligated or expended for any member of the pregnant
22 woman's family for medical care or any other type of remedial care recognized under
23 state law or for personal health insurance premiums or for both. Eligibility obtained
24 under this subdivision continues without regard to any change in family income for
25 the balance of the pregnancy and to the last day of the month in which the 60th day

1 or, if approved by the federal government, the 365th day after the last day of the
2 woman's pregnancy falls. Eligibility obtained by a pregnant woman under this
3 subdivision extends to all pregnant women in the pregnant woman's family.”

4 **87.** Page 357, line 18: after that line insert:

5 “**SECTION 711c.** 49.686 (3) (d) of the statutes is amended to read:

6 49.686 (3) (d) Has applied for coverage under and has been denied eligibility
7 for medical assistance within 12 months prior to application for reimbursement
8 under sub. (2). This paragraph does not apply to an individual who is eligible for
9 benefits under ~~the demonstration project for childless adults under s. 49.45 (23)~~
10 BadgerCare Plus under s. 49.471 (4) (a) 8. or to an individual who is eligible for
11 benefits under BadgerCare Plus under s. 49.471 (11).”

12 **88.** Page 358, line 10: after that line insert:

13 “**SECTION 726m.** 49.855 (3) of the statutes is amended to read:

14 49.855 (3) Receipt of a certification by the department of revenue shall
15 constitute a lien, equal to the amount certified, on any state tax refunds or credits
16 owed to the obligor. The lien shall be foreclosed by the department of revenue as a
17 setoff under s. 71.93 (3), (6), and (7). When the department of revenue determines
18 that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the
19 obligor that the state intends to reduce any state tax refund or credit due the obligor
20 by the amount the obligor is delinquent under the support, maintenance, or receiving
21 and disbursing fee order or obligation, by the outstanding amount for past support,
22 or medical expenses, or birth expenses under the court order, or by the amount due
23 under s. 46.10 (4), 49.345 (4), or 301.12 (4). The notice shall provide that within 20
24 days the obligor may request a hearing before the circuit court rendering the order

1 under which the obligation arose. Within 10 days after receiving a request for
2 hearing under this subsection, the court shall set the matter for hearing. Pending
3 further order by the court or a circuit court commissioner, the department of children
4 and families or its designee, whichever is appropriate, is prohibited from disbursing
5 the obligor's state tax refund or credit. A circuit court commissioner may conduct the
6 hearing. The sole issues at that hearing shall be whether the obligor owes the
7 amount certified and, if not and it is a support or maintenance order, whether the
8 money withheld from a tax refund or credit shall be paid to the obligor or held for
9 future support or maintenance, except that the obligor's ability to pay shall also be
10 an issue at the hearing if the obligation relates to an order under s. 767.805 (4) (d)
11 ~~1. or 767.89 (3) (e) 1. regarding birth expenses~~ and the order specifies that the court
12 found that the obligor's income was at or below the poverty line established under
13 42 USC 9902 (2).

14 **SECTION 727m.** 49.855 (4m) (b) of the statutes is amended to read:

15 49.855 (4m) (b) The department of revenue may provide a certification that it
16 receives under sub. (1), (2m), (2p), or (2r) to the department of administration. Upon
17 receipt of the certification, the department of administration shall determine
18 whether the obligor is a vendor or is receiving any other payments from this state,
19 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
20 45.40 (1m), this chapter, or ch. 46, 108, or 301. If the department of administration
21 determines that the obligor is a vendor or is receiving payments from this state,
22 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
23 45.40 (1m), this chapter, or ch. 46, 108, or 301, it shall begin to withhold the amount
24 certified from those payments and shall notify the obligor that the state intends to
25 reduce any payments due the obligor by the amount the obligor is delinquent under

1 the support, maintenance, or receiving and disbursing fee order or obligation, by the
2 outstanding amount for past support, or medical expenses, or birth expenses under
3 the court order, or by the amount due under s. 46.10 (4), 49.345 (4), or 301.12 (4). The
4 notice shall provide that within 20 days after receipt of the notice the obligor may
5 request a hearing before the circuit court rendering the order under which the
6 obligation arose. An obligor may, within 20 days after receiving notice, request a
7 hearing under this paragraph. Within 10 days after receiving a request for hearing
8 under this paragraph, the court shall set the matter for hearing. A circuit court
9 commissioner may conduct the hearing. Pending further order by the court or circuit
10 court commissioner, the department of children and families or its designee,
11 whichever is appropriate, may not disburse the payments withheld from the obligor.
12 The sole issues at the hearing are whether the obligor owes the amount certified and,
13 if not and it is a support or maintenance order, whether the money withheld shall be
14 paid to the obligor or held for future support or maintenance, except that the obligor's
15 ability to pay is also an issue at the hearing if the obligation relates to an order under
16 s. 767.805 (4) (d) 1. or 767.89 (3) (e) 1. regarding birth expenses and the order specifies
17 that the court found that the obligor's income was at or below the poverty line
18 established under 42 USC 9902 (2).".

19 **89.** Page 358, line 11: delete the material beginning with that line and ending
20 with page 359, line 11, and substitute:

21 **"SECTION 728b.** 50.03 (3) (b) (intro.) of the statutes is amended to read:

22 50.03 (3) (b) (intro.) The application for a license and, except as otherwise
23 provided in this subchapter, the report of a licensee shall be in writing upon forms
24 provided by the department and shall contain such information as the department

1 requires, including the name, address and type and extent of interest of each of the
2 following persons:

3 **SECTION 729b.** 50.03 (4) (c) 1. of the statutes is amended to read:

4 50.03 (4) (c) 1. A community-based residential facility license is valid until it
5 is revoked or suspended under this section. Every 24 months, on a schedule
6 determined by the department, a community-based residential facility licensee
7 shall submit through an online system prescribed by the department a biennial
8 report in the form and containing the information that the department requires,
9 including payment of ~~the fees required~~ any fee due under s. 50.037 (2) (a). If a
10 complete biennial report is not timely filed, the department shall issue a warning to
11 the licensee. The department may revoke a community-based residential facility
12 license for failure to timely and completely report within 60 days after the report date
13 established under the schedule determined by the department.

14 **SECTION 730b.** 50.033 (2m) of the statutes is amended to read:

15 50.033 (2m) REPORTING. Every 24 months, on a schedule determined by the
16 department, a licensed adult family home shall submit through an online system
17 prescribed by the department a biennial report in the form and containing the
18 information that the department requires, including payment of ~~the~~ any fee required
19 due under sub. (2). If a complete biennial report is not timely filed, the department
20 shall issue a warning to the licensee. The department may revoke the license for
21 failure to timely and completely report within 60 days after the report date
22 established under the schedule determined by the department.”.

23 **90.** Page 359, line 22: delete the material beginning with that line and ending
24 with page 360, line 9, and substitute:

1 “**SECTION 732b.** 50.034 (2m) of the statutes is created to read:

2 50.034 (2m) REPORTING. Every 24 months, on a schedule determined by the
3 department, a residential care apartment complex shall submit through an online
4 system prescribed by the department a report in the form and containing the
5 information that the department requires, including payment of any fee required
6 under sub. (1). If a complete report is not timely filed, the department shall issue a
7 warning to the operator of the residential care apartment complex. The department
8 may revoke a residential care apartment complex’s certification or registration for
9 failure to timely and completely report within 60 days after the report date
10 established under the schedule determined by the department.”.

11 **91.** Page 363, line 8: after that line insert:

12 “**SECTION 746t.** 51.03 (7) of the statutes is created to read:

13 51.03 (7) From the appropriation under s. 20.435 (5) (dg), the department shall
14 award grants to regional crisis stabilization facilities for adults. The department
15 shall establish criteria for a regional crisis stabilization facility to receive a grant
16 under this subsection.”.

17 **92.** Page 364, line 14: delete the material beginning with that line and ending
18 with page 365, line 8, and substitute:

19 “**SECTION 750b.** 51.422 (1) of the statutes is amended to read:

20 51.422 (1) PROGRAM CREATION. The department shall create 2 or 3 new, regional
21 comprehensive opioid treatment programs, and in the 2017-19 fiscal biennium,
22 shall create 2 or 3 additional regional comprehensive opioid and methamphetamine
23 treatment programs, to provide treatment for opioid and opiate addiction and
24 methamphetamine addiction in underserved, high-need areas. The department

1 shall obtain and review proposals for opioid and methamphetamine treatment
2 programs in accordance with its request-for-proposal procedures. ~~A program under~~
3 ~~this section may not offer methadone treatment.~~

4 **SECTION 751b.** 51.422 (2) of the statutes is amended to read:

5 51.422 (2) PROGRAM COMPONENTS. An opioid or methamphetamine treatment
6 program created under this section shall offer an assessment to individuals in need
7 of service to determine what type of treatment is needed. The program shall
8 transition individuals to a certified residential program, if that level of treatment is
9 necessary. The program shall provide counseling, medication-assisted treatment,
10 including ~~both long-acting opioid antagonist and partial agonist~~ medications that
11 have been approved by the federal food and drug administration if for treating opioid
12 addiction, and abstinence-based treatment. The program shall transition
13 individuals who have completed treatment to county-based or private
14 post-treatment care.”.

15 **93.** Page 365, line 9: delete lines 9 to 16 and substitute:

16 “**SECTION 752b.** 51.441 of the statutes is created to read:

17 **51.441 Comprehensive mental health consultation program.** The
18 department shall convene a statewide group of interested persons, including at least
19 one representative of the Medical College of Wisconsin, to develop a concept paper,
20 business plan, and standards for a comprehensive mental health consultation
21 program that incorporates general psychiatry, geriatric psychiatry, addiction
22 medicine and psychiatry, a perinatal psychiatry consultation program, and the child
23 psychiatry consultation program under s. 51.442.”.

24 **94.** Page 369, line 19: after that line insert:

1 **“SECTION 775i.** 66.0137 (4) of the statutes is amended to read:

2 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
3 a village provides health care benefits under its home rule power, or if a town
4 provides health care benefits, to its officers and employees on a self-insured basis,
5 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
6 632.728, 632.746 (1) and (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853,
7 632.855, 632.867, 632.87 (4) to (6), 632.885, 632.89, 632.895 (9) (8) to (17), 632.896,
8 and 767.513 (4).”.

9 **95.** Page 418, line 7: after that line insert:

10 **“SECTION 1686i.** 120.13 (2) (g) of the statutes is amended to read:

11 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
12 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.728, 632.746 (1) and (10) (a) 2. and (b)
13 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.867, 632.87 (4) to (6), 632.885,
14 632.89, 632.895 (9) (8) to (17), 632.896, and 767.513 (4).”.

15 **96.** Page 427, line 19: delete the material beginning with that line and ending
16 with page 428, line 18, and substitute:

17 **“SECTION 1764b.** 146.63 (2) (a) of the statutes is amended to read:

18 146.63 (2) (a) Subject to subs. (4) and (5), the department shall distribute
19 grants from the appropriation under s. 20.435 (1) (fj) (4) (bf) to assist rural hospitals
20 and groups of rural hospitals in procuring infrastructure and increasing case volume
21 to the extent necessary to develop accredited graduate medical training programs.
22 The department shall distribute the grants under this paragraph to rural hospitals
23 and groups of rural hospitals that apply to receive a grant under sub. (3) and that

1 satisfy the criteria established by the department under par. (b) and the eligibility
2 requirement under sub. (6).

3 **SECTION 1765b.** 146.63 (6) (intro.) of the statutes is amended to read:

4 146.63 (6) ELIGIBILITY. (intro.) A rural hospital or group of rural hospitals may
5 only receive a grant under sub. (3) if the plan to use the funds involves developing
6 an accredited graduate medical training program in ~~any of the following specialties~~
7 a specialty, including any of the following:

8 **SECTION 1766b.** 146.64 (2) (c) 1. of the statutes is amended to read:

9 146.64 (2) (c) 1. The department shall distribute funds for grants under par.
10 (a) from the appropriation under s. 20.435 (4) ~~(b) (bf)~~. The department may not
11 distribute more than \$225,000 from the appropriation under s. 20.435 (4) ~~(b) (bf)~~ to
12 a particular hospital in a given state fiscal year and may not distribute more than
13 \$75,000 from the appropriation under s. 20.435 (4) ~~(b) (bf)~~ to fund a given position
14 in a graduate medical training program in a given state fiscal year.

15 **SECTION 1767b.** 146.64 (4) (intro.) of the statutes is amended to read:

16 146.64 (4) ELIGIBILITY. (intro.) A hospital that has an accredited graduate
17 medical training program in ~~any of the following specialties~~ a specialty, including
18 any of the following, may apply to receive a grant under sub. (3):”.

19 **97.** Page 430, line 15: after that line insert:

20 “**SECTION 1801i.** 185.983 (1) (intro.) of the statutes is amended to read:

21 185.983 (1) (intro.) Every voluntary nonprofit health care plan operated by a
22 cooperative association organized under s. 185.981 shall be exempt from chs. 600 to
23 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44,
24 601.45, 611.26, 611.67, 619.04, 623.11, 623.12, 628.34 (10), 631.17, 631.89, 631.93,

1 631.95, 632.72 (2), ~~632.728~~, 632.745 to 632.749, 632.775, 632.79, 632.795, 632.798,
2 632.85, 632.853, 632.855, 632.867, 632.87 (2) to (6), 632.885, 632.89, 632.895 (5) and
3 (8) to (17), 632.896, and 632.897 (10) and chs. 609, 620, 630, 635, 645, and 646, but
4 the sponsoring association shall.”

5 **98.** Page 433, line 4: after that line insert:

6 “**SECTION 1891b.** 250.048 of the statutes is created to read:

7 **250.048 Prescription drug importation program. (1) IMPORTATION**
8 **PROGRAM REQUIREMENTS.** The department, in consultation with persons interested in
9 the sale and pricing of prescription drugs and appropriate officials and agencies of
10 the federal government, shall design and implement a prescription drug importation
11 program for the benefit of residents of this state, that generates savings for residents,
12 and that satisfies all of the following:

13 (a) The department shall designate a state agency to become a licensed
14 wholesale distributor or to contract with a licensed wholesale distributor and shall
15 seek federal certification and approval to import prescription drugs.

16 (b) The prescription drug importation program under this section shall comply
17 with relevant requirements of 21 USC 384, including safety and cost savings
18 requirements.

19 (c) The prescription drug importation program under this section shall import
20 prescription drugs from Canadian suppliers regulated under any appropriate
21 Canadian or provincial laws.

22 (d) The prescription drug importation program under this section shall have
23 a process to sample the purity, chemical composition, and potency of imported
24 prescription drugs.

1 (e) The prescription drug importation program under this section shall import
2 only those prescription drugs for which importation creates substantial savings for
3 residents of the state and only those prescription drugs that are not brand-name
4 drugs and that have fewer than 4 competitor prescription drugs in the United States.

5 (f) The department shall ensure that prescription drugs imported under the
6 program under this section are not distributed, dispensed, or sold outside of the
7 state.

8 (g) The prescription drug importation program under this section shall ensure
9 all of the following:

10 1. Participation by any pharmacy or health care provider in the program is
11 voluntary.

12 2. Any pharmacy or health care provider participating in the program has the
13 appropriate license or other credential in this state.

14 3. Any pharmacy or health care provider participating in the program charges
15 a consumer or health plan the actual acquisition cost of the imported prescription
16 drug that is dispensed.

17 (h) The prescription drug importation program under this section shall ensure
18 that a payment by a health plan or health insurance policy for a prescription drug
19 imported under the program reimburses no more than the actual acquisition cost of
20 the imported prescription drug that is dispensed.

21 (i) The prescription drug importation program under this section shall ensure
22 that any health plan or health insurance policy participating in the program does all
23 of the following:

24 1. Maintains a formulary and claims payment system with current information
25 on prescription drugs imported under the program.

1 2. Bases cost-sharing amounts for participants or insureds under the plan or
2 policy on no more than the actual acquisition cost of the prescription drug imported
3 under the program that is dispensed to the participant or insured.

4 3. Demonstrates to the department or a state agency designated by the
5 department how premiums under the policy or plan are affected by savings on
6 prescription drugs imported under the program.

7 (j) Any wholesale distributor importing prescription drugs under the program
8 under this section shall limit its profit margin to the amount established by the
9 department or a state agency designated by the department.

10 (k) The prescription drug importation program under this section may not
11 import any generic prescription drug that would violate federal patent laws on
12 branded products in this country.

13 (L) The prescription drug importation program under this section shall comply
14 to the extent practical and feasible before the prescription drug to be imported comes
15 into possession of the state's wholesale distributor and fully after the prescription
16 drug to be imported is in possession of the state's wholesale distributor with tracking
17 and tracing requirements of 21 USC 360eee to 360eee-1.

18 (m) The prescription drug importation program under this section shall
19 establish a fee or other approach to finance the program that does not jeopardize
20 significant savings to residents of the state.

21 (n) The prescription drug importation program under this section shall have
22 an audit function that ensures all of the following:

23 1. The department has a sound methodology to determine the most
24 cost-effective prescription drugs to include in the importation program under this
25 section.

1 2. The department has a process in place to select Canadian suppliers that are
2 high quality, high performing, and in full compliance with Canadian laws.

3 3. Prescription drugs imported under the program are pure, unadulterated,
4 potent, and safe.

5 4. The prescription drug importation program is complying with the
6 requirements of this subsection.

7 5. The prescription drug importation program under this section is adequately
8 financed to support administrative functions of the program while generating
9 significant cost savings to residents of the state.

10 6. The prescription drug importation program under this section does not put
11 residents of the state at a higher risk than if the program did not exist.

12 7. The prescription drug importation program under this section provides and
13 is projected to continue to provide substantial cost savings to residents of the state.

14 **(2) ANTICOMPETITIVE BEHAVIOR.** The department, in consultation with the
15 attorney general, shall identify the potential for and monitor anticompetitive
16 behavior in industries affected by a prescription drug importation program.

17 **(3) APPROVAL OF PROGRAM DESIGN; CERTIFICATION.** No later than the first day of
18 the 7th month beginning after the effective date of this subsection ... [LRB inserts
19 date], the department shall submit to the joint committee on finance a report that
20 includes the design of the prescription drug importation program in accordance with
21 this section. The department may not submit the proposed prescription drug
22 importation program to the federal department of health and human services unless
23 the joint committee on finance approves the proposed prescription drug
24 implementation program. Within 14 days of the date of approval by the joint
25 committee on finance of the proposed prescription drug importation program, the

1 department shall submit to the federal department of health and human services a
2 request for certification of the approved prescription drug importation program.

3 (4) IMPLEMENTATION OF CERTIFIED PROGRAM. After the federal department of
4 health and human services certifies the prescription drug importation program
5 submitted under sub. (3), the department shall begin implementation of the program
6 and the program shall be fully operational by 180 days after the date of certification
7 by the federal department of health and human services. The department shall do
8 all of the following to implement the prescription drug importation program to the
9 extent the action is in accordance with other state laws and the certification by the
10 federal department of health and human services:

11 (a) Become a licensed wholesale distributor, designate another state agency to
12 become a licensed wholesale distributor, or contract with a licensed wholesale
13 distributor.

14 (b) Contract with one or more Canadian suppliers that meet the criteria in sub.
15 (1) (c).

16 (c) Create an outreach and marketing plan to communicate with and provide
17 information to health plans and health insurance policies, employers, pharmacies,
18 health care providers, and residents of the state on participating in the prescription
19 drug importation program.

20 (d) Develop and implement a registration process for health plans and health
21 insurance policies, pharmacies, and health care providers interested in participating
22 in the prescription drug importation program.

23 (e) Create a publicly accessible source for listing prices of prescription drugs
24 imported under the program.

1 (f) Create, publicize, and implement a method of communication to promptly
2 answer questions from and address the needs of persons affected by the
3 implementation of the program before the program is fully operational.

4 (g) Establish the audit functions under sub. (1) (n) with a timeline to complete
5 each audit function every 2 years.

6 (h) Conduct any other activities determined by the department to be important
7 to successful implementation of the prescription drug importation program under
8 this section.

9 (5) REPORT. By January 1 and July 1 of each year, the department shall submit
10 to the joint committee on finance a report including all of the following:

11 (a) A list of prescription drugs included in the importation program under this
12 section.

13 (b) The number of pharmacies, health care providers, and health plans and
14 health insurance policies participating in the prescription drug importation program
15 under this section.

16 (c) The estimated amount of savings to residents of the state, health plans and
17 health insurance policies, and employers resulting from the implementation of the
18 prescription drug importation program under this section reported from the date of
19 the previous report under this subsection and from the date the program was fully
20 operational.

21 (d) Findings of any audit functions under sub. (1) (n) completed since the date
22 of the previous report under this subsection.”.

23 **99.** Page 433, line 5: delete lines 5 to 11 and substitute:

24 **“SECTION 1892b.** 250.10 (1m) (b) of the statutes is amended to read: