

Chapter HSS 101

MEDICAL ASSISTANCE: INTRODUCTION AND DEFINITIONS

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Note: Chapter HSS 101 as it existed on February 28, 1986 was repealed and a new chapter HSS 101 was created effective March 1, 1986.

HSS 101.01 Authority and purpose. This chapter and chs. HSS 102 to 108 are promulgated pursuant to s. 49.45 (10), Stats., for the purpose of administering the medical assistance program (MA) in Wisconsin which finances necessary health care services for qualified persons whose financial resources are inadequate to provide for their health care needs.

History: Cr. Register, February, 1986, No. 362, eff. 3-1-86.

HSS 101.02 Applicability. This chapter and chs. HSS 102 to 108 apply to all recipients of MA, all providers of MA and all persons engaged in the administration of MA.

History: Cr. Register, February, 1986, No. 362, eff. 3-1-86.

HSS 101.03 Definitions. In this chapter and chs. HSS 102 to 108:

(1) "Accredited" means approved by a national accrediting agency or association which has been recognized by the U.S. secretary of education.

(2) "Active treatment" means implementation and administration of a professionally developed and supervised individual plan of care, which is developed and implemented no later than 14 days after admission to the facility and is reasonably expected to improve the recipient's condition to the extent that inpatient care is no longer necessary.

Note: The plan of care is designed to achieve the recipient's discharge from inpatient status at the earliest possible time.

(3) "Activities of daily living" means activities relating to the performance of self care, work and leisure or play activities, including dressing, feeding or eating, grooming, mobility and object manipulation.

(4) "Acute mental illness" means a mental illness which is not of life-long duration, which is severe in degree and causes a substantially diminished level of functioning in the activities of daily living and an inability to cope with the ordinary demands of life, and which may lead to an inability to maintain stable adjustment and independent functioning without short-term treatment.

(5) "Administrator" means the person who manages a health care facility.

Note: The administrator should have a bachelor's degree and either experience or specialized training in the administration of health institutions or agencies; or qualifications and experience in one of the professional health disciplines.

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(6) "AFDC" means aid to families with dependent children, a public assistance program under Title IV-A of the Social Security Act of 1935, as amended, and ss. 49.19 to 49.41, Stats.

(7) "AFDC-related person" means a person who meets one of the conditions under s. HSS 103.03 (1) (b).

(8) "Agency" means the county department of social services, public welfare or human services, or a tribal agency which administers income maintenance programs.

(9) "Ambulatory" means able to walk without personal assistance or mechanical aids, and without difficulty.

(9m) "Ambulatory prenatal care" means care and treatment for a pregnant woman and her fetus to protect and promote the woman's health and the healthy development of the fetus.

(10) "Ambulatory surgical center" means a facility that operates exclusively for the purpose of providing surgical services to patients not requiring hospitalization, and that meets the requirements of s. HSS 105.49.

(11) "Ancillary cost" means an extraordinary and unique cost incurred by a nursing home or other qualified provider of services or materials furnished to a nursing home resident, which is not included in calculating the nursing home's daily rate but which MA reimburses separately under s. HSS 107.09 (3) (a).

(12) "ANSI" means American national standards institute.

(13) "AODA treatment services" means alcohol and other drug abuse treatment services provided by a provider certified pursuant to s. HSS 105.22 or 105.23 to assist alcoholics and drug abusers and persons affected by problems related to the abuse of alcohol or drugs.

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Note: Examples of AODA treatment services are client evaluation, orientation and motivation, treatment planning, consultation and referral, client education, individual counseling, group counseling and crisis intervention.

(14) "Applicant" means a person who directly or through a representative makes application for MA.

(15) "Application for medical assistance" means the process of completing and signing a department-approved application form by which action a person indicates to the agency authorized to accept the application a desire to receive MA.

(16) "Approved prescription drug products list" means a list prepared by the U.S. food and drug administration that identifies drug products approved on the basis of safety and effectiveness.

(17) "Asset limit" means that limit against which nonexempt assets under ch. HSS 103 are compared to determine financial eligibility for MA.

(18) "Board" means a community mental health board established under s. 51.42, Stats., a developmental disabilities board established under s. 51.437, Stats., or a community human services board established under s. 46.23, Stats.

(169) "SSI" means supplemental security income, the assistance program under Title XVI of the Social Security Act of 1935, as amended, and s. 49.177, Stats.

(170) "SSI-related person" means a person who meets the requirements of s. HSS 103.03 (1) (c).

(171) "Stepparent case" means an MA case consisting of a family in which a legal parent, a stepparent and a child under age 18 reside in the home.

(172) "Sterilization" means any medical procedure, treatment, or operation for the purpose of rendering an individual permanently incapable of reproducing.

(173) "Supervision," unless otherwise indicated in chs. HSS 101 to 108, means at least intermittent face-to-face contact between supervisor and assistant and a regular review of the assistant's work by the supervisor.

(174) "Tape billing service" means a provider or an entity under contract to a provider which provides magnetic tape billing for one or more providers.

(175) "Therapeutic/rehabilitative program" means a formal or structured medical or health care activity which is designed to contribute to the mental, physical or social development of its participants, and is certified or approved, or its sponsoring group is certified or approved, by a national standard-setting or certifying organization when such an organization exists.

(176) "Therapeutic visit" means a visit by a resident recipient to the home of relatives or friends for at least an overnight stay.

(177) "Three-generation case" means an MA case in which there are 3 generations living in the home and the second generation is a never-married minor parent.

(178) "Time out" means time away from positive reinforcement. It is a behavior modification technique in which, in response to undesired behavior, the resident is removed from the situation in which positive reinforcement is available.

(179) "Treatment unit" means, for purposes of reimbursement for therapy services, the time spent in direct treatment services to the individual patient. Time spent in activities not associated with the treatment of the individual patient such as preparation of the patient for treatment, preparation of the treatment area and preparation of the patient for return from the treatment area, otherwise known as "preparation time", shall also be reimbursable for up to 15 minutes per patient per treatment day. Time spent in other activities which are not associated with the treatment of the individual patient, including end of the day clean-up of the treatment area, paperwork, consultations, transportation time and training, is not reimbursable.

(180) "Unearned income" means income which is not the direct result of labor or services performed by the individual as an employe or as a self-employed person.

(181) "Usual and customary charge" means the provider's charge for providing the same service to persons not entitled to MA benefits.

History: Cr. Register, February, 1986, No. 362, eff. 3-1-86; cr. (9m), (22m), (75m), (85m), (114m), (122m), (129m) and (149m), am. (88), Register, February, 1988, No. 386, eff. 3-1-88; am. (73), (116) and (117), r. (74), Register April, 1988, No. 388, eff. 7-1-88; emerg. cr. (30m) and (33m) eff. 8-1-88; cr. (30m) and (33m), Register, December, 1988, No. 396, eff. 1-1-89.