

CR 91-199

CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)

I, Gerald Whitburn, Secretary of the Department of Health and Social Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to reimbursement for treatment of chronic renal disease were duly approved and adopted by this Department on April 3, 1992.

I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 3rd day of April, 1992.



SEAL:

Gerald Whitburn, Secretary
Department of Health and Social Services

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ORDER OF THE
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
REPEALING AND RECREATING AND CREATING RULES

To repeal and recreate HSS 152.06(Table) and to create HSS 152.02(15m) and 152.06(8), relating to reimbursement for treatment of chronic renal disease.

Analysis Prepared by the Department of Health and Social Services

Section 1536 of the current Budget Act, 1991 Wisconsin Act 39, amended s. 49.487, Stats., to require the Department to revise its kidney disease aid sliding scale of patient liability for part of the cost of treatment to ensure that the treatment needs of lower income patients receive priority within the funds available for this reimbursement program.

This order amends the sliding scale of patient liability for part of the cost of treatment by moderately increasing liability at the upper income levels. The order also provides for copayments by patients for prescription drugs and links that requirement to the Medical Assistance program's prescription copayment schedule, and defines Medical Assistance by reference to a statutory definition.

The Department's authority to repeal and recreate and create these rules is found in s. 49.48(2), Stats. The rules interpret s. 49.48, Stats., and s. 49.487, Stats., as amended by 1991 Wisconsin Act 39.

SECTION 1. HSS 152.02(15m) is created to read:

HSS 152.02(15m) "Medical assistance" has the meaning specified in s. 49.43(8), Stats.

SECTION 2. HSS 152.06(8) is created to read:

HSS 152.06(8) PATIENT COPAYMENT. If a pharmacy directly bills the chronic renal disease program for a prescription received by an ESRD patient, that patient is responsible for the same copayment amount a medical assistance recipient incurs for a similar prescription. However, the partial medical assistance copayment exemptions in s. 49.45(18), Stats., do not apply to an ESRD patient.

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SECTION 3. HSS 152.06 (Table) is repealed and recreated to read:

TABLE 152.06
PATIENT LIABILITY FOR THE COST OF TREATMENT


Annual Family Income	Percent of Charges for Which Patient is Liable, by Family Size									
	1	2	3	4	5	6	7	8	9	10+
\$ 0 - 7,000	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%
7,001 - 10,000	2	1	0	0	0	0	0	0	0	0
10,001 - 15,000	4	2	1	0	0	0	0	0	0	0
15,001 - 20,000	7	4	2	1	0	0	0	0	0	0
20,001 - 25,000	11	7	4	2	1	0	0	0	0	0
25,001 - 30,000	14	10	7	5	3	2	1	0	0	0
30,001 - 35,000	17	13	10	8	6	4	2	1	0	0
35,001 - 40,000	20	16	13	11	9	7	5	3	2	1
40,001 - 45,000	24	19	15	13	11	9	7	5	3	2
45,001 - 50,000	29	24	20	17	15	13	11	9	7	5
50,001 - 55,000	34	29	25	21	19	17	15	13	11	9
55,001 - 60,000	39	34	29	25	23	21	19	17	15	13
60,001 - 65,000	44	39	34	30	28	25	22	20	18	16
65,001 - 70,000	49	44	39	35	32	29	27	25	23	21
70,001 - 75,000	55	49	44	40	37	34	32	30	28	26
75,001 - 80,000	61	55	50	46	43	40	37	35	33	31
80,001 - 85,000	67	61	56	52	49	46	43	40	38	36
85,001 - 90,000	74	68	63	59	56	53	50	47	45	43
90,001 - 95,000	81	75	70	66	63	60	57	55	53	51
95,001 - 100,000	88	82	77	73	70	67	64	62	60	58
100,000+	96	90	85	81	78	75	72	70	68	66

Note: To illustrate how a patient's liability is calculated, assume that the family has 4 members and an annual income of \$40,000, and that a bill has been received for treatment rendered in the amount of \$600. The patient would be liable for 11% of that bill, or \$66.

The rules contained in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Wisconsin Department of Health and
Social Services

DATED: April 3, 1992

By: 
Gerald Whitburn
Secretary

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