

CR 95-89

CERTIFICATE

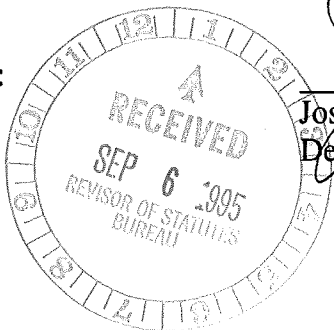
STATE OF WISCONSIN )  
 ) SS  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES )

I, Joseph Lean, 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 the fee paid by a home health agency to renew its license were duly approved and adopted by this Department on September 6, 1995.

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.

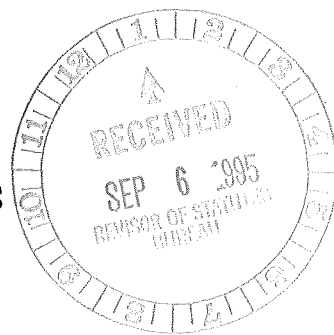
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 6th day of September, 1995.

SEAL:



*Joseph Lean*  
\_\_\_\_\_  
Joseph Lean, Secretary  
Department of Health and Social Services

ORDER OF THE  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
AMENDING AND CREATING RULES



To amend HSS 133.03(6)(b) and to create HSS 133.02(6g), relating to the fee paid by a home health agency to renew its license.

Analysis Prepared by the Department of Health and Social Services

Section 50.49, Stats., directs the Department to develop, establish and enforce standards for operation of home health agencies, authorizes the Department to license home health agencies, requires the Department to make whatever inspections and investigations of home health agencies it considers necessary in order to administer this regulatory program and requires the Department to establish by rule an annual license fee for home health agencies.

In February 1995 there were 188 home health agencies operating in Wisconsin.

The Department revised its licensing standards for home health agencies, ch. HSS 133, effective June 1984. Chapter HSS 133 has not been significantly updated since then, and in particular the annual license renewal fee has not been increased since then.

This order increases the annual license renewal fee to cover increased costs of this regulatory program and bases the fee on annual net income of the home health agency, as required by s.50.49(2)(b), Stats., rather than gross annual income of the agency as provided for in the current rules.

The Department's authority to amend and create these rules is found in s. 50.49(2)(b), Stats. The rules interpret s. 50.49(2)(b), Stats.

SECTION 1. HSS 133.02(6g) is created to read:

HSS 133.02(6g) "Net income" means total agency revenue minus total expenses as reported in the home health agency's annual fiscal report under s. HSS 133.03(6)(c).


SECTION 2. HSS 133.03(6)(b) is amended to read:

HSS 133.03(6)(b) The application is accompanied by a fee equal to ~~0.15%~~ 3.00% of the ~~gross~~ net annual income of the home health agency based on the agency's most recent annual fiscal report, with a maximum fee of ~~\$1,000~~ \$2,500 and a minimum fee of ~~\$100~~ \$500.

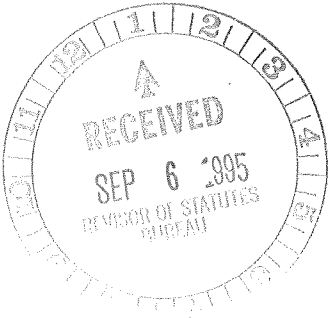
The rules contained in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Wisconsin Department of Health and  
Social Services

Dated: September 6, 1995

By:   
Joseph Leean  
Secretary

SEAL:





State of Wisconsin  
**Department of Health and Social Services**

Tommy G. Thompson, Governor  
Joe Leean, Secretary

September 6, 1995

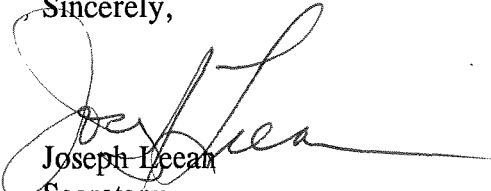
Mr. Bruce E. Munson  
Revisor of Statutes  
131 W. Wilson St., Suite 800  
Madison, WI 53703

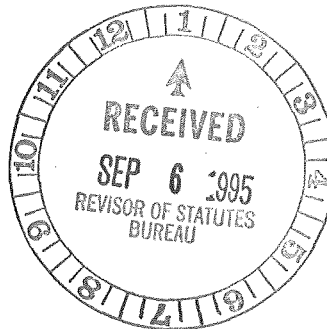
Dear Mr. Munson:

As provided in s. 227.20, Stats., there is hereby submitted a certified copy of ss. HSS 133.02 and 133.03, administrative rules relating to the fee paid by a home health agency to renew its license.

These rules are also being submitted to the Secretary of State as required by s. 227.20, Stats.

Sincerely,

  
Joseph Leean  
Secretary



Enclosure