

# State of Wisconsin



2023 Senate Bill 592

Date of enactment: **March 22, 2024**

Date of publication\*: **March 23, 2024**

## 2023 WISCONSIN ACT 182

AN ACT *to create* 49.45 (9r) (f) of the statutes; **relating to:** reimbursement under the Medical Assistance program for complex rehabilitation technology wheelchair repairs and accessories.

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

**SECTION 1.** 49.45 (9r) (f) of the statutes is created to read:

49.45 (9r) (f) 1. In this paragraph, "KU modifier" means a modifier used in the federal Medicare program related to an exemption from competitive bidding pricing.

2. For dates of service beginning on the effective date of this subdivision .... [LRB inserts date], the department shall, for healthcare common procedure coding system codes relating to complex rehabilitation technology wheelchair repair and accessories, apply a reimbursement rate under the Medical Assistance program equivalent to the maximum fee paid in Wisconsin under the federal Medicare program, including fees under the KU modifier, if applicable.

3. Beginning July 1, 2025, and annually thereafter, the department shall submit to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) a report that includes all of the following information:

- a. The total number of units.
- b. The total number of claims.
- c. The total number of claims per provider.
- d. The average dollar amount of all paid claims.

e. The average dollar amount of claims paid per provider.

f. The total dollar amount paid per provider.

g. A calculation of the amount paid to the provider compared to the amount paid to the provider if the reimbursement were through fee-for-service under the Medical Assistance program under this subchapter.

h. The number of repairs done per unit during the last year.

### **SECTION 1m. Nonstatutory provisions.**

(1) No later than July 1, 2025, the department of health services shall, in the manner provided under s. 13.172 (3), submit to the appropriate standing committee in each house of the legislature with jurisdiction over health issues a report that describes all of the following regarding complex rehabilitation technology under the Medical Assistance program under subch. IV of ch. 49:

(a) The number of complex rehabilitation technology suppliers certified as providers for the Medical Assistance program in the state as of December 31, 2024, compared to December 31, 2017.

(b) The effect of 2017 Wisconsin Act 306 on the access and availability of complex rehabilitation technology for recipients under the Medical Assistance program.

(2) The report under sub. (1) shall include an assessment of whether payment rates for complex rehabilitation

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\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

technology are adequate to ensure complex needs patients have access to complex rehabilitation technology.

**SECTION 2. Initial applicability.**

(1) The reimbursement rate under s. 49.45 (9r) (f) first applies to a 3rd-party payer with which the depart-

ment of health services contracts under s. 49.45 (2) (b) 2. for the provision of health care to Medical Assistance recipients on the day on which that 3rd-party payer's contract with the department is newly established, extended, modified, or renewed.

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