



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-1277/P2
SWB:cjs

DOA:.....Lessner, BB0277 - Detoxification facilities Medicaid
reimbursement

FOR 2023-2025 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

Medical Assistance program coverage for detoxification and stabilization services

This bill requires DHS to provide reimbursement for detoxification and stabilization services under the Medical Assistance program. The bill requires DHS to submit to the federal government any request for federal approval necessary to provide the reimbursement for detoxification and stabilization services under the Medical Assistance program, and makes reimbursement contingent upon any needed federal approval. The Medical Assistance program is a joint federal and state program administered by DHS that provides health care services to individuals with limited financial resources. The bill defines detoxification and stabilization services as adult residential integrated behavioral health stabilization service, residential withdrawal management service, or residential intoxication monitoring service.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 49.45 (30p) of the statutes is created to read:

49.45 (30p) DETOXIFICATION AND STABILIZATION SERVICES. (a) In this subsection:

1. “Adult residential integrated behavioral health stabilization service” means a residential behavioral health treatment service, delivered under the oversight of a medical director, that provides withdrawal management and intoxication monitoring, as well as integrated behavioral health stabilization services, and includes nursing care on site for medical monitoring available on a 24-hour basis. “Adult residential integrated behavioral health stabilization service” may include the provision of services including screening, assessment, intake, evaluation and diagnosis, medical care, observation and monitoring, physical examination, determination of medical stability, medication management, nursing services, case management, drug testing, counseling, individual therapy, group therapy, family therapy, psychoeducation, peer support services, recovery coaching, recovery support services, and crisis intervention services, to ameliorate acute behavioral health symptoms and stabilize functioning.

2. “Community-based withdrawal management” means a medically managed withdrawal management service delivered on an outpatient basis by a physician or other service personnel acting under the supervision of a physician.

3. “Detoxification and stabilization services” means adult residential integrated behavioral health stabilization service, residential withdrawal management service, or residential intoxication monitoring service.

4. “Residential intoxication monitoring service” means a residential service that provides 24-hour observation to monitor the safe resolution of alcohol or sedative intoxication and to monitor for the development of alcohol withdrawal for intoxicated patients who are not in need of emergency medical or behavioral healthcare. “Residential intoxication monitoring service” may include the provision of services including screening, assessment, intake, evaluation and diagnosis, observation and monitoring, case management, drug testing, counseling, individual therapy, group therapy, family therapy, psychoeducation, peer support services, recovery coaching, and recovery support services.

5. “Residential withdrawal management service” means a residential substance use treatment service that provides withdrawal management and intoxication monitoring, and includes medically managed 24-hour on-site nursing care, under the supervision of a physician. “Residential withdrawal management service” may include the provision of services, including screening, assessment, intake, evaluation and diagnosis, medical care, observation and monitoring, physical examination, medication management, nursing services, case management, drug testing, counseling, individual therapy, group therapy, family therapy, psychoeducation, peer support services, recovery coaching, and recovery support services, to ameliorate symptoms of acute intoxication and withdrawal and to stabilize functioning. “Residential withdrawal management service” may also include community-based withdrawal management and intoxication monitoring services.

(b) Subject to par. (c), the department shall provide reimbursement for detoxification and stabilization services under the Medical Assistance program under s. 49.46 (2) (b) 14r. The department shall certify providers under the Medical

Assistance program to provide detoxification and stabilization services in accordance with this subsection.

(c) The department shall submit to the federal department of health and human services any request for a state plan amendment, waiver, or other federal approval necessary to provide reimbursement for detoxification and stabilization services as described in this subsection. If the federal department approves the request or if no federal approval is necessary, the department shall provide the reimbursement under par. 49.46 (2) (b) 14r. If the federal department disapproves the request, the department may not provide the reimbursement described in this subsection.

SECTION 2. 49.46 (2) (b) 14r. of the statutes is created to read:

49.46 **(2)** (b) 14r. Detoxification and stabilization services as specified under s. 49.45 (30p).

(END)