



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-1820/P2  
SWB:kms

DOA:.....Stinebrink, BB0519 - Complex patient pilot

**FOR 2023-2025 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**HEALTH**

***Complex patient pilot program***

This bill requires DHS to form an advisory group to assist with development and implementation of a complex patient pilot program. Under the bill, the secretary of DHS shall serve as chair of the advisory group, and members must have clinical, financial, or administrative expertise in government programs, acute care, or post-acute care. The bill requires the advisory group to develop a request for proposal from partnership groups that would be designated as participating sites for the pilot program. Under the bill, only partnership groups that include at least one hospital and at least one post-acute facility are eligible to participate, but partnership groups could include more than one hospital or post-acute facility. The bill requires applicant partnership groups to address certain issues in the application, including: 1) the number of beds that would be set aside in the post-acute facility; 2) the goals of the partnership during the pilot program and after the pilot program; 3) the types of complex patients for whom care would be provided; 4) expertise to successfully implement the proposal; 5) the per diem rate requested to adequately compensate the hospital or hospitals and the post-acute facility or facilities; 6) a post-acute bed reserve rate; and 7) anticipated impediments to

successful implementation and how the applicant partnership group intends to overcome the anticipated impediments.

Under the bill, the advisory group must also determine and recommend to DHS an amount of the funding budgeted for the pilot program to be reserved for reconciliation to ensure that participants are held harmless from unanticipated financial loss. The bill also requires the advisory group to develop a methodology to evaluate the complex patient pilot program and make recommendations to the secretary of DHS regarding which partnership groups should receive designation as participating sites for the pilot program. The bill allows the department to contract with an independent organization to evaluate the complex patient pilot program. The advisory group or any independent organization hired to complete the evaluation of the pilot program must complete and submit to the secretary of DHS an evaluation of the pilot program, including a written report and recommendations, no later June 30, 2025.

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

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

**SECTION 1.** 20.435 (7) (d) of the statutes is created to read:

20.435 (7) (d) *Complex patient pilot program.* Biennially, the amounts in the schedule for the complex patient pilot program under 2023 Wisconsin Act .... (this act), section 9119 (1).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 2.** 20.435 (7) (d) of the statutes, as affected by 2023 Wisconsin Act .... (this act), is repealed.

**SECTION 9119. Nonstatutory provisions; Health Services.**

(1) COMPLEX PATIENT PILOT PROGRAM.

(a) In this subsection, “department” means the department of health services.

(b) The department shall form an advisory group to assist with development and implementation of a complex patient pilot program. The secretary of health services, or his or her designee, shall be the chair of the advisory group. Members

of the advisory group under this paragraph shall have clinical, financial, or administrative expertise in government programs, acute care, or post-acute care.

(c) The department shall use its request-for-proposal procedure to select partnership groups to be designated as participating sites for the complex patient pilot program under this subsection.

(d) The advisory group formed under this subsection shall develop a request for proposal for the complex patient pilot program that includes eligibility requirements. For purposes of the pilot program under this subsection, only partnerships of hospitals and post-acute facilities are eligible to submit proposals. An eligible partnership shall include at least one hospital and at least one post-acute facility, but may include more than one hospital or post-acute facility.

(e) Each partnership group that applies to the department to be designated as a site for the complex patient pilot program shall specifically address all of the following issues:

1. The number of beds that would be set aside in the post-acute facility.
2. The goals of the partnership during the pilot program and after the pilot program.
3. The types of complex patients for whom care would be provided.
4. Expertise to successfully implement the proposal, including a discussion of at least all of the following issues:
  - a. Experience of the partners working together.
  - b. Plan for staffing the unit.
  - c. Ability to electronically exchange health information.
  - d. Clinical expertise.
  - e. Hospital and post-acute facility survey history over the past 3 years.

f. Acute care partner readmissions history over the past 3 years.

g. Discharge planning and patient intake resources.

h. Stability of finances to support the proposal, including matching funds that could be dedicated to the pilot program under this subsection. No applicant is required to provide matching funds or a contribution, but the advisory group and the department of health services may take into consideration the availability of matching funds or a contribution in evaluating an application.

5. The per diem rate requested to adequately compensate the hospital or hospitals and the post-acute facility or facilities.

6. A post-acute bed reserve rate.

7. Anticipated impediments to successful implementation and how the applicant partnership group intends to overcome the anticipated impediments.

(f) The advisory group formed under this subsection shall do all of the following:

1. Determine and recommend to the department an amount of the funding budgeted for the complex patient pilot program under s. 20.435 (7) (d) to be reserved for reconciliation to ensure that participants in the pilot program are held harmless from unanticipated financial loss.

2. Develop a methodology to evaluate the complex patient pilot program, including a recommendation on whether the department should contract with an independent organization to evaluate the complex patient pilot program. The department may contract with an independent organization to complete the evaluation described under this subdivision and, if the department does so, the department may pay the fee of the organization selected from the appropriation under s. 20.435 (7) (d).

3. Make recommendations to the secretary of health services regarding which partnership groups should receive designation as a participating site for the complex patient pilot program.

(g) 1. No later than 90 days after the effective date of this subdivision, the advisory group shall complete development of the request for proposal for partnership groups to be designated as participating sites in the complex patient pilot program and provide its recommendations to the secretary of health services.

2. No later than 150 days after the effective date of this subdivision, the advisory group shall review all applications submitted in response to the request for proposal and select up to 4 partnership groups to recommend to the secretary of health services for designation as participating sites for the complex patient pilot program under this subsection.

3. Between 6 months and 18 months after the effective date of this subdivision, the partnership groups designated by the department as participating sites in the complex patient pilot program shall implement the pilot program and meet quarterly with both the department and the advisory group or any independent organization hired by the department for the purpose of evaluating the pilot program to discuss experiences relating to the pilot program. From the appropriation under s. 20.435 (7) (d), the department shall provide payments to partnership groups designated as participating sites for care provided during the course of the pilot program under this subsection.

4. No later than June 30, 2025, the advisory group or any independent organization hired by the department for the purpose of evaluating the complex patient pilot program shall complete and submit to the secretary of health services

an evaluation of the complex patient pilot program under this subsection, including a written report and recommendations.

**SECTION 9419. Effective dates; Health Services.**

(1) COMPLEX PATIENT PILOT PROGRAM. The repeal of s. 20.435 (7) (d) takes effect on July 1, 2025.

(END)