



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2005 Wisconsin Act 355**  
[2005 Senate Bill 312]

### **Nursing Home Diversions Under the Community Integration Program**

The Department of Health and Family Services (DHFS) is authorized to pay an enhanced rate for Medical Assistance (MA) program services that are provided to individuals who, under a waiver of federal Medicaid laws, are relocated from nursing homes under a community integration program (“CIP II”). The number of individuals served may not exceed the number of nursing home beds that are delicensed as part of plans submitted by nursing homes and approved by DHFS.

2005 Wisconsin Act 355 expands eligibility for the enhanced reimbursement rate for services under CIP II to up to 150 persons who meet the MA level of care requirements for nursing home care and are diverted from imminent entry into nursing homes. The Act requires DHFS to develop and utilize criteria for determining imminent entry into a nursing home. The criteria must include an imminent loss of current living arrangements and an imminent risk of a long-term nursing home stay. These criteria, and the formula developed by DHFS to determine the enhanced reimbursement rate, are exempt from administrative rule-making requirements. If it is likely that the number of persons for which the enhanced MA reimbursement rate for services is provided will exceed 150, DHFS may submit a request to the Joint Committee on Finance, under passive review process, for approval to expand the number of persons served.

**Effective Date:** Act 355 takes effect on May 3, 2006.

**Prepared by:** Laura Rose, Deputy Director

June 2, 2006

LR:rv

---

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.