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State of Misconsin 2019 - 2020 LEGISLATURE

LRB-2401/1 TJD:amn

2019 ASSEMBLY BILL 162

April 15, 2019 – Introduced by Representatives Thiesfeldt, Stuck, Felzkowski, Anderson, Bowen, Brostoff, Considine, Horlacher, Kolste, Kulp, Mursau, Novak, Ohnstad, Plumer, Ramthun, Rohrkaste, Sargent, Skowronski, Snyder, Spiros, Steffen, Subeck, C. Taylor, Tusler, Vining, Sinicki, Loudenbeck and Murphy, cosponsored by Senators Darling, Johnson, Carpenter, Nass, Ringhand, Stroebel, Wirch, Cowles and L. Taylor. Referred to Committee on Medicaid Reform and Oversight.

AN ACT to amend 146.89 (3) (a) and 146.89 (3) (d) 2.; and to create 146.89 (3g)

of the statutes; **relating to:** participation in the Volunteer Health Care Provider program by agencies serving homeless individuals.

Analysis by the Legislative Reference Bureau

This bill allows nonprofit agencies and their volunteer health care providers that provide services to persons who are recipients of Medical Assistance to participate in the Volunteer Health Care Provider program if the Medical Assistance recipients served are primarily homeless individuals. Except for health care providers credentialed in another state who have separate requirements and liability exemptions under current law, volunteer health care providers providing services under the program are currently agents of the state for certain purposes, including the following: 1) representation by the attorney general in a civil action or other matter brought before a court or administrative agency; 2) mandatory filing of a notice of claim before bringing a civil claim against the agent; and 3) payment by the state of a judgment of damages and costs against the agent when found to be acting within the scope of employment. Currently, certain individuals may serve as volunteer health care providers by providing services through a nonprofit agency or for a school board or school governing body while receiving no income for the services. To participate in the Volunteer Health Care Provider program, a health care professional must submit a joint application with a nonprofit agency, school board, or school governing body to the Department of Health Services for approval. A volunteer health care provider providing services through a nonprofit agency must

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provide services without charge except that certain dental services may be provided to Medical Assistance recipients under the program.

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. 146.89 (3) (a) of the statutes is amended to read:

146.89 (3) (a) The volunteer health care provider shall provide services under par. (b) without charge, except as provided in sub. (3g) or (3m), at the nonprofit agency, if the joint application of the volunteer health care provider and the nonprofit agency has received approval under sub. (2) (a).

Section 2. 146.89 (3) (d) 2. of the statutes is amended to read:

146.89 (3) (d) 2. Except as provided in sub. (3g) or (3m), Medical Assistance under subch. IV of ch. 49.

Section 3. 146.89 (3g) of the statutes is created to read:

146.89 (3g) A nonprofit agency and volunteer health care providers providing services at the nonprofit agency that provide services to persons who are recipients of Medical Assistance may participate in the program under this section if the Medical Assistance recipients served are primarily homeless individuals, as self-reported.

15 (END)