



2025 SENATE BILL 139

March 21, 2025 - Introduced by Senator CABRAL-GUEVARA, cosponsored by Representatives KITCHENS, PENTERMAN, BEHNKE, BROOKS, DITTRICH, MURPHY, MURSAU and O'CONNOR. Referred to Committee on Licensing, Regulatory Reform, State and Federal Affairs.

1 **AN ACT** *to repeal* 150.345 of the statutes; **relating to:** transfer of nursing home
2 beds.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Health Services licenses nursing home beds and beds in facilities primarily serving the developmentally disabled and enforces a maximum limit on the number of these licensed beds in the state. A nursing home may transfer a licensed bed to another nursing home under certain circumstances, including that the receiving nursing home is within the same area for allocation of nursing home beds as is the transferring home, or is in a county adjoining that area, that the transferring nursing home and the receiving nursing home are owned by corporations that are owned by the same person, and that DHS reviews and approves the transfer.

This bill repeals the transfer of nursing home beds. Instead, closed nursing home beds will be made available for distribution under procedures specified under current law. Under current law, DHS is required to redistribute nursing home beds within a county if the number of other nursing home beds for each 1,000 persons 65 years of age or over in the county is less than 80 percent of the statewide average and the total occupancy level for the other nursing homes in the county is equal to or more than the statewide average nursing home occupancy rate. Further, DHS must publish a notice at least once per year describing the number of beds that are available in each health planning area of the state. Nursing homes may then apply

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for any available beds. DHS is responsible for reviewing each application it receives and making decisions on each application using criteria specified by statute and any further criteria that DHS develops by rule.

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

1 **SECTION 1.** 150.345 of the statutes is repealed.

2 (END)