



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-4543/P2  
JPC:amn&cjs

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1     **AN ACT to amend** 49.43 (6m) of the statutes; **relating to:** definition of institution  
2             for mental diseases under the Medical Assistance program (suggested as  
3             remedial legislation by the Department of Health Services).

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***Analysis by the Legislative Reference Bureau***

This bill corrects the cross-reference to the federal definition of “institution for mental diseases” for the purposes of the Medical Assistance program. “Institution for mental diseases” is defined under federal law to mean “a hospital, nursing facility, or other institution of more than 16 beds that is primarily engaged in providing diagnosis, treatment or care of persons with mental diseases, including medical attention, nursing care and related services. Whether an institution is an institution for mental diseases is determined by its overall character as that of a facility established and maintained primarily for the care and treatment of individuals with mental diseases, whether or not it is licensed as such. An institution for Individuals with Intellectual Disabilities is not an institution for mental diseases.” The Medical Assistance program is a joint state and federal program that provides health services to individuals with limited financial resources.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

