



2015-2017 Wisconsin State Budget A Summary of Provisions Impacting Health Care & Coverage

BadgerCare Plus for Childless Adults

- The budget bill asks DHS to enact the following changes to BC+ for Childless adults: (subject federal approval)
 - impose monthly premiums as determined by DHS;
 - impose higher premiums for enrollees who engage in behaviors that increase their health risks, as determined by DHS;
 - require a health risk assessment for all enrollees;
 - limit eligibility to no more than 48 months; and
 - require a drug screening assessment and, if indicated, a drug test as a condition of eligibility.

Long Term Care Programs

- The bill would include types of promissory notes as “assets.”
 - This bill provides that, when determining or re-determining an individual's financial eligibility for an MA long-term care program, or any other MA program that counts assets, DHS must include as a countable asset a promissory note for which the individual or his or her spouse provided the goods, money loaned, or services rendered, that is entered into or purchased on or after the effective date of the 2015-17 budget...

Access to Insurance

- This bill eliminates the 3 months of ineligibility for all of those individuals whose access to other health insurance has ended. (Not clear if this applies to people who have “dropped” coverage as well.)

Covered Services

- This bill **adds licensed midwife services**, as well as **substance abuse treatment services** provided by a medically monitored treatment service or a transitional residential treatment service to other services paid for currently under the MA program. (subject to federal approval)
- This bill also requires DHS to **provide MA reimbursement to pharmacists** who meet certain requirements specified by DHS for administering vaccines to people 6 to 18 years of age. (subject to federal approval)

Dental Pilot Project

- This bill requires DHS to increase the MA reimbursement rate in **Brown, Polk, and Racine** counties to providers of pediatric dental care and adult emergency dental services (subject to federal approval)



DSH Payments

- This bill requires DHS to **allocate moneys** for the fiscal biennium for DHS to make supplemental payments to certain hospitals that have a disproportionate share of low-income patients and setting specifications for those payments

Allocate \$ to reduce waiting lists for long-term care

- This bill requires DHS to direct that the state share of payments for health care services provided in a school to children who are eligible for MA in excess of a certain amount be deposited in the MA trust fund and expended for reducing waiting lists for children's long-term care services and other children's services.

Adoption Assistance Extended

- Current law permits DCF to provide payments to the adoptive parents of a child with special needs to assist in the cost of care of the child (adoption assistance). Subject to certain exceptions, adoption assistance ends when the child turns 18.
- This bill permits adoption assistance to be provided **until a child turns 21 if:**
 - the child is a full-time student at a secondary school or its vocational or technical equivalent (full-time student),
 - an IEP is in effect for the child, and
 - the adoption assistance agreement became effective after the child turned 16

Kinship Care

- Kinship care payments generally end when the child attains 18 years of age, except that those payments may be made until a child attains 21 years of age if the child is a full-time student and an IEP is in effect for the child.
- This bill requires, **as an additional condition for eligibility for kinship care payments under that exception**, that the child be placed in the home of the kinship care relative under an order of the court assigned to exercise jurisdiction under the Children's Code and the Juvenile Justice Code (juvenile court) or under a voluntary transition-to-independent-living agreement
- This bill **requires a permanency plan** to be prepared for a child who is placed outside the home under a voluntary transition-to-independent-living agreement.
- The bill also requires additional elements with respect to voluntary transition-to-independent-living agreements.

No CBRF License Necessary

- Under current law, subject to certain exceptions, a facility where 5 or more adults who do not require care above intermediate level nursing care reside and receive care, treatment, or services that are above the level of room and board must be licensed as a community-based residential facility (CBRF).



- This bill provides that a facility licensed as a foster home, group home, or residential care center for children and youth (facility) that provides care for a person 18 years of age or over, but under 21 years of age, who is placed in the facility under an order of the juvenile court, a voluntary transition-to-independent-living agreement, or the placement and care responsibility of another state **is not required to also be licensed as a CBRF**.

Funeral/Burial/Cemetery Expenses

- Under current law, DHS pays, within specified limits, funeral, burial, and cemetery expenses for decedents who, during life, received certain public assistance benefits, and whose estates at death are insufficient to pay those expenses.
- This bill provides that, if an eligible decedent, or the decedent's spouse or another person, owns a life insurance policy insuring the decedent's life and the face value is more than \$3,000, any amount that DHS would otherwise pay for the decedent's funeral, burial, or cemetery expenses will be reduced by one dollar for each dollar that the insurance policy exceeds \$3,000.
- The bill also requires DHS to **pursue recovery** of the amount of funeral, burial, and cemetery expenses provided on behalf of a decedent by making a claim in the decedent's estate and in the estate of the decedent's spouse.
- DHS may recover from all property of the decedent or the decedent's spouse, and there is a presumption that all property in the spouse's estate was marital property held with the decedent and that 100% of the property in the spouse's estate is subject to the DHS claim.
- The claim for funeral, burial, and cemetery expenses must be allowed *even if* the decedent in whose estate the claim is made has a surviving spouse or a surviving child who is under 21 or has a disability and DHS *is not permitted to waive recovery* if DHS determines that recovering the amount paid on the decedent's behalf would work an undue hardship in a particular case.

FoodShare

- Under current law, DHS may require a recipient of SNAP benefits who is able and who is 18 to 60 years of age to participate in the FoodShare employment and training program (FSET) to be eligible for SNAP benefits, with some exceptions.
- This bill requires DHS to submit to USDA a request for a waiver that would authorize DHS to **screen and test participants for illegal use of a controlled substance**

Personal Care:

- The bill would “reform” personal care services and reduce the program by \$19 million, by **requiring an “independent assessment”** for all Fee For Service personal care requests

Family Care

- The bill would implement changes to Family Care, FCPP, and PACE including all of the following changes: (subject to federal approval)
 - eliminate long-term care districts;



- allow DHS to add primary and acute health care services to the Family Care benefit;
- allow CMOs to provide services statewide and not only in a specified geographic area;
- allow DHS to contract with any applicants that it certifies as meeting the requirements to be a CMO and eliminates the requirement that DHS solicit proposals for contracts;
- generally allow Family Care enrollees to switch CMOs only in an open enrollment period; and
- require administration of Family Care statewide.
- The bill **eliminates the separate IRIS program**; specifies that individuals may self-direct their services within the Family Care program.
- The bill also eliminates the requirement that CMOs obtain a permit from OCI; specifies that when the Family Care program begins to operate statewide, CMOs are insurers and may be **regulated as insurance by OCI**.
- Once Family Care operates statewide, DHS is allowed to discontinue enrollment in certain other long-term care programs as specified in the bill.

Resource Centers

- Resource centers currently provide information and referral services among other functions, including determining eligibility and assisting individuals to enroll in a CMO. Currently, resource centers are required to provide all services specified by law.
- The bill allows DHS to contract with a resource center **or a private entity** for some or all of the services.
- The bill also **eliminates** the requirement that a resource center has a governing board and **eliminates** the requirement to create long-term care advisory committees.

Transportation:

- The bill increases in transportation to include a 4% increase in transit funds and a 1% increase in specialized transportation to support people with disabilities and seniors

Children's COP

- COP is one of the programs that DHS may discontinue once Family Care is available.
- The bill also **creates a Children's Community Options Program** (Children's COP) that provides long-term community support services to individuals up to age 22 who have a disability.
- Children who seek services are assessed for Children's COP and a county department or private nonprofit agency will **create a case plan** and arrange for services.
- The bill requires DHS to create a **scale for assessment of a fee** for Children's COP based on ability to pay.
- The bill **eliminates the Family Support Program**.



- DHS seeks a waiver of federal Medicaid law to obtain federal funding for Children's COP.

Assessments to Health Care Providers

- Under current law, DHS must, after the start of each fiscal year, estimate the total amount of its expenditures for department operations for that fiscal year.
- Based on that estimate, DHS assesses certain health care providers for the estimated total amount, less certain amounts received for administrative purposes.
- This bill **eliminates the authorization for DHS to charge assessments to health care providers.**

Other health and human services

- Under current law, for cases in which the payee is receiving services under DCF's child and spousal support and establishment of paternity and medical support liability program, or in which the state is a real party in interest as specified under current law, DCF must certify to DOR, for purposes of collection through intercepting state income tax refunds, delinquent payments of child support, family support, maintenance, past support, medical expenses, birth expenses, and centralized receipt and disbursement fees, which must be paid annually by persons who are obligated to pay support or maintenance.
- This bill provides that DCF must also, at least annually, certify to DOR delinquent payments of centralized receipt and disbursement fees that are owed by all other persons not already subject to the certifications.
- Under this bill, a financial institution is required to honor a notice of levy or request to enforce a lien in favor of another state that it receives directly from the other state.

Vocational Rehabilitation

- Under current law, DWD assists individuals with disabilities in gaining employment through its vocational rehabilitation (VR) program.
- This bill, instead of requiring that DWD allocate \$600,000 in social security reimbursement funds to provide grants, requires DWD to transfer \$600,000 of those moneys to DHS and allows DHS to provide grants using those moneys, as well as the federal independent living center financial assistance moneys.

Resources:

- Read the legislation: Companion Bills [AB21/SB21](#)
- Read the full Executive Budget: <http://www.doa.state.wi.us/Divisions/Budget-and-Finance/Biennial-Budget/201517-Executive-Budget/>