



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5709/1
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2023 ASSEMBLY BILL 1184

April 9, 2024 - Introduced by Representatives VINING, MOORE OMOKUNDE, PALMERI, CONSIDINE, BARE, CLANCY, CONLEY, EMERSON, HONG, NEUBAUER, OHNSTAD, RATCLIFF, SHELTON, SINICKI, STUBBS, SUBECK and MADISON, cosponsored by Senators AGARD, CARPENTER, L. JOHNSON, LARSON, SMITH and SPREITZER. Referred to Committee on Education.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to amend** 49.45 (39) (b) 1. and 49.45 (39) (b) 2. of the statutes; **relating**
2 **to:** payment for school medical services.

Analysis by the Legislative Reference Bureau

Under current law, if a school district or a cooperative educational service agency elects to provide school medical services and meets certain requirements, DHS is required to reimburse the school district or cooperative educational service agency for 60 percent of the federal share of allowable charges for the school medical services that they provide. If the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing elects to provide school medical services and meets certain other requirements, DHS is also required to reimburse DPI for 60 percent of the federal share of allowable charges for the school medical services that the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing provide. Further, under current law, DHS is required to reimburse school districts, cooperative educational service agencies, and DPI, on behalf of the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, for 90 percent of the federal share of allowable school medical services administrative costs.

This bill increases the amount that DHS is required to reimburse a school district, cooperative educational service agency, and DPI, on behalf of the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, for provided school medical services to 100 percent of the federal share of allowable charges for the school medical services.

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The bill also increases the amount that DHS is required to reimburse a school district, cooperative educational service agency, and DPI, on behalf of the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, to 100 percent of the federal share of allowable school medical services administrative costs.

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:

1 **SECTION 1.** 49.45 (39) (b) 1. of the statutes is amended to read:

2 49.45 **(39)** (b) 1. 'Payment for school medical services.' If a school district or a
3 cooperative educational service agency elects to provide school medical services and
4 meets all requirements under par. (c), the department shall reimburse the school
5 district or the cooperative educational service agency for ~~60~~ 100 percent of the federal
6 share of allowable charges for the school medical services that it provides and, as
7 specified in subd. 2., for allowable administrative costs. If the Wisconsin Center for
8 the Blind and Visually Impaired or the Wisconsin Educational Services Program for
9 the Deaf and Hard of Hearing elects to provide school medical services and meets all
10 requirements under par. (c), the department shall reimburse the department of
11 public instruction for ~~60~~ 100 percent of the federal share of allowable charges for the
12 school medical services that the Wisconsin Center for the Blind and Visually
13 Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of
14 Hearing provides and, as specified in subd. 2., for allowable administrative costs. A
15 school district, cooperative educational service agency, the Wisconsin Center for the
16 Blind and Visually Impaired, or the Wisconsin Educational Services Program for the
17 Deaf and Hard of Hearing may submit, and the department shall allow, claims for
18 common carrier transportation costs as a school medical service unless the

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1 department receives notice from the federal health care financing administration
2 that, under a change in federal policy, the claims are not allowed. If the department
3 receives the notice, a school district, cooperative educational service agency, the
4 Wisconsin Center for the Blind and Visually Impaired, or the Wisconsin Educational
5 Services Program for the Deaf and Hard of Hearing may submit, and the department
6 shall allow, unreimbursed claims for common carrier transportation costs incurred
7 before the date of the change in federal policy. The department shall promulgate
8 rules establishing a methodology for making reimbursements under this paragraph.
9 All other expenses for the school medical services provided by a school district or a
10 cooperative educational service agency shall be paid for by the school district or the
11 cooperative educational service agency with funds received from state or local taxes.
12 The school district, the Wisconsin Center for the Blind and Visually Impaired, the
13 Wisconsin Educational Services Program for the Deaf and Hard of Hearing, or the
14 cooperative educational service agency shall comply with all requirements of the
15 federal department of health and human services for receiving federal financial
16 participation.

17 **SECTION 2.** 49.45 (39) (b) 2. of the statutes is amended to read:

18 49.45 **(39)** (b) 2. 'Payment for school medical services administrative costs.' The
19 department shall reimburse a school district or a cooperative educational service
20 agency specified under subd. 1. and shall reimburse the department of public
21 instruction on behalf of the Wisconsin Center for the Blind and Visually Impaired or
22 the Wisconsin Educational Services Program for the Deaf and Hard of Hearing for
23 ~~90~~ 100 percent of the federal share of allowable administrative costs, using time
24 studies, ~~beginning in fiscal year 1999-2000~~. A school district or a cooperative
25 educational service agency may submit, and the department of health services shall

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SECTION 2

1 allow, claims for administrative costs incurred during the period that is up to 24
2 months before the date of the claim, if allowable under federal law.

3 (END)