



2013 ASSEMBLY BILL 299

August 23, 2013 - Introduced by Representatives GENRICH, BERNARD SCHABER, KOLSTE, SINICKI, BERCEAU, RICHARDS, WRIGHT, YOUNG, KAHL, WACHS, JORGENSEN, OHNSTAD, BARNES, HEBL and BARCA, cosponsored by Senator HANSEN. Referred to Joint Committee on Finance.

- 1 **AN ACT relating to:** requiring the Family Care benefit and self-directed services
2 option to be provided in certain northeastern Wisconsin counties.

Analysis by the Legislative Reference Bureau

Under current law, in certain counties, Family Care and the self-directed services option known as IRIS, among other programs, provide community-based, long-term care services to individuals who meet certain functional and financial criteria and who are either frail elders or adults with physical or developmental disabilities. In each geographic area in which the Family Care benefit is available the Department of Health Services (DHS) contracts with an aging and disability resource center to provide information and determine eligibility for Family Care and a care management organization (CMO) to administer the Family Care benefit. DHS may contract with a county, a long-term care district, a governing body of a tribe or band or the Great Lakes Inter-Tribal Council, a joint association of those entities, or a private organization to be a CMO. Under current law, if DHS proposes to contract with an entity to administer the Family Care benefit in geographic areas in which, in the aggregate, resides more than 29 percent of the state population that is eligible for the Family Care benefit, DHS must first submit the proposed contract to the Joint Committee on Finance (JCF). DHS may enter into the proposed contract only if JCF approves.

This bill requires DHS to do all of the following for residents of any of the counties of Brown, Door, Kewaunee, Marinette, Menominee, Oconto, and Shawano that have complied with statutory requirements: contract with a resource center such that its services are available to residents before July 1, 2014; contract with a

ASSEMBLY BILL 299

CMO to administer the Family Care benefit such that the benefit is available to residents on July 1, 2014; and provide services under IRIS such that services are available to residents on July 1, 2014. Under the bill, DHS is not required to obtain approval from JCF to enter into these contracts or provide these services to residents of those seven counties.

For further information see the *state and local* 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. Nonstatutory provisions.**

2 (1) FAMILY CARE EXPANSION TO NORTHEASTERN COUNTIES.

3 (a) The department of health services shall do all of the following for residents
4 of any of the counties of Brown, Door, Kewaunee, Marinette, Menominee, Oconto,
5 and Shawano that have complied with the statutory requirements:

6 1. Contract with an entity to provide the services under section 46.283 of the
7 statutes as a resource center such that services of a resource center are available to
8 residents before July 1, 2014.

9 2. Contract with an entity as provided under section 46.284 (2) of the statutes
10 to administer the Family Care benefit as a care management organization such that
11 the family care benefit is available to residents on July 1, 2014.

12 3. Provide services under the self-directed services option, known as IRIS, that
13 is operated under a waiver from the secretary of the federal department of health and
14 human services under 42 USC 1396n (c) such that the services are available to
15 residents on July 1, 2014.

