State of Wisconsin
2013 – 2014 LEGISLATURE

LRB–3922/1
TJD:jld:rs

# 2013 BILL

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

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***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 Brown, Door, Kewaunee, Marinette, Menominee, Oconto, and Shawano counties: contract with a resource center such that its services are available to residents of at least one of those counties before July 1, 2015; contract with a CMO to administer the Family Care

benefit such that the benefit is available to residents of at least one of those counties on July 1, 2015; and provide services under IRIS such that services are available to residents of at least one of those counties on July 1, 2015. DHS must enter contracts and provide services for residents of all of those counties by July 1, 2016. Under the bill, DHS is not required to obtain approval from JCF to enter 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.

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

**SECTION 1. Nonstatutory provisions.**

(1) FAMILY CARE EXPANSION TO NORTHEASTERN COUNTIES.

(a) The department of health services shall do all of the following for residents of the counties of Brown, Door, Kewaunee, Marinette, Menominee, Oconto, and Shawano:

1. Contract with an entity to provide the services under section 46.283 of the statutes as a resource center such that services of a resource center are available to residents of at least one of those counties before July 1, 2015 and residents of all of those counties before July 1, 2016.

2. Contract with an entity as provided under section 46.284 (2) of the statutes to administer the Family Care benefit as a care management organization such that the family care benefit is available to residents of at least one of those counties on July 1, 2015 and residents of all of those counties before July 1, 2016.

3. Provide services under the self–directed services option, known as IRIS, that is operated under a waiver from the secretary of the federal department of health and human services under 42 USC 1396n (c) such that the services are available to residents of at least one of those counties on July 1, 2015 and residents of all of those counties before July 1, 2016.

(b) Notwithstanding section 46.281 (1g) (b) of the statutes, the department of health services is not required to obtain approval from the joint committee on finance to enter contracts or provide services as described in paragraph (a).

**(END)**