

Fiscal Estimate Narratives

DHFS 10/11/01

LRB Number	01-3682/1	Introduction Number	AB-553	Estimate Type	Original
Subject					
Unemployment insurance - various changes					

Assumptions Used in Arriving at Fiscal Estimate

This bill contains one provision that relates to the Department of Health and Family Services. This provision would eliminate coverage under the state unemployment insurance law for services provided to a recipient of medical assistance by an individual who is not an employee of a home health agency if the service is: (a) private duty and intermittent nursing service provided by a nurse in independent practice or by an independent nurse practitioner; or (b) respiratory care service for ventilator-dependent individuals by a provider in independent practice.

Since this bill would not affect the rate that is paid under medical assistance for private duty nursing or respiratory care services, it would not have any fiscal impact on the medical assistance benefit appropriation. Also, payments under medical assistance are paid out as claims, and providers of medical assistance are not considered employees of the Department. As a result, the Department is not liable for the required contribution under the unemployment insurance program for providers of services under medical assistance. In a recent court case, the court found the MA recipient to be liable for the required employer contribution under the unemployment insurance program for an independent nurse providing private duty nursing services under MA.

The provision related to coverage of private duty and intermittent nursing and respiratory services under MA by a independent practitioner would not have an impact on local governments since this provision only applies to employers other than a government unit or nonprofit organization. Other provisions of the bill may affect local governments, but those effects would be analysed in the fiscal notes of other agencies.

Long-Range Fiscal Implications